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SECOND EDITION.

IMPORTANT WORK ON THE CANADAS.

AN IMPARTIAL AND AUTHENTIC ACCOUNT

OF THE

CIVIL WAR IN THE CANADAS;WITH AMPLE DETAILS OF THE IMMEDIATE CAUSES AND PROGRESS THEREOF, FROM
THE COMMENCEMENT TO ITS FINAL CONCLUSION: PRECEDED BY**AN INTRODUCTION,***Containing a faithful Exposition of the more remote Causes of the present disastrous
State of Affairs in those Colonies; the whole to be followed by*

A COMPLETE AND HIGHLY INTERESTING

General Account of the Provinces & their Inhabitants:

COMPRISING,

- I.—A HISTORICAL SKETCH OF THE PROGRESS OF SETTLEMENT.
- II.—A FULL ACCOUNT OF THE RESOURCES (INCLUDING AGRICULTURE)
AND TRADE OF THE COUNTRY.
- III.—A COMPLETE DESCRIPTION OF THE COUNTRY AND CLIMATE.
- IV.—A DESCRIPTION OF THE SOCIAL CONDITION OF THE PEOPLE,
THEIR MANNERS, HABITS, CUSTOMS, AMUSEMENTS, SONGS, &c.
- V.—AMPLE DETAILS AS TO THE STATE OF RELIGION, EDUCATION,
THE PRESS, &c.
- VI.—A STATISTICAL ACCOUNT OF THE POPULATION.
- VII.—INFORMATION FOR EMIGRANTS.
- VIII.—BIOGRAPHICAL NOTICES OF THE CANADIAN LEADERS, &c. &c.

ILLUSTRATED BY

Views of the Magnificent Scenery of Upper and Lower Canada,**MAPS OF BOTH PROVINCES,****PLANS & DIAGRAMS ILLUSTRATIVE OF THE WAR, &c.**

WITH PORTRAITS OF

MONS. PAPINEAU, AND OTHER CANADIAN LEADERS,**AND OTHER HIGHLY INTERESTING ENGRAVINGS.**

PART I. CONTAINING

PORTRAIT OF M. PAPINEAU;

AND

TWO MAPS OF THE SEAT OF WAR.

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WAR IN THE CANADAS

THE HISTORY OF THE CANADIAN ARMY
FROM 1763 TO 1871

BY J. H. COLEMAN

IN TWO VOLUMES
VOLUME I

THE CANADIAN ARMY
FROM 1763 TO 1871

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Engraved by W. Bell.

Papineau

*Engraved from an Authentic portrait under the superintendence
of a gentleman personally acquainted with M. Papineau.*

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W. Pitt Rivers

*Engraved from an illustration by John Smith, Esq. of the original portrait
of the gentleman personally acquainted with the artist.*

ACCOUNT OF THE CIVIL WAR IN THE CANADAS.

CHAPTER I.

IMMEDIATE CAUSES OF THE INSURRECTION.

State of the Province at the end of the month of October—Measures of resistance entirely passive in their character—Testimony of Lord Gosford—Rumours—A Riot—The *Vindicator* Newspaper attacked and destroyed—Character of the Paper—Dr. O'Callaghan—The Quebec Arrests—M. Morin—A new Commission of the Peace—Alarm—The Montreal Arrests—The Departures—M. Papineau—The Acadia Arrests—The Rescue.

IN the midst of the feverish excitement ever consequent upon a state of insurrection, we have undertaken to present the reader with a calm narrative of the events connected with the civil war in the Two Canadas. This task, we feel sensible, is not without considerable difficulty. A popular insurrection is an occurrence which cannot be viewed with that indifference which the historian ought to possess. On such a question every man must have his sympathies, not to say, his prejudices. These feelings will, unless especial care be taken, materially affect his views. This, however, is a contingency inseparable from contemporary narrative. It is doubtless an inconvenience; but it is one which cannot be gotten rid of. All that can be done is, to state the authority with the fact, on all occasions where it is practicable, so that the latter may be tested by the former, and a just conclusion thereby drawn. This rule we shall carefully attend to, in the course of the ensuing narrative, and thus we hope to reduce to the very minimum the peculiar defects of a contemporary memoir.

Whilst contemporary narration has what may be called its specific disadvantage, it has also its appropriate countervailing advantage. Its pictures are fresh and vivid—events stand out in bold relief—the various actors, as well as sufferers, are made to tell their own tales; and if there be sometimes exaggeration, there is, for the most part, a large predominance of racy truth; and certainly, a faithful exhibition of the actors' feelings, of their alternating hopes and fears.

Under these circumstances, the inconvenience which we have pointed out is one which the public has always been willing to bear, for the sake of the advantages with which it is allied; the more especially if an honest care be evinced to secure the good, with as small an admixture of the evil as possible. To effect this is our especial object.

By throwing into the shape of an introduction to this volume the detail of those events, the effect of which upon the present state of things in Canada was rather remote and indirect than immediate, we are enabled at once to enter upon those interesting occurrences which immediately preceded the Canadian insurrection—so immediately, indeed, as to assume with the latter the relation of cause and consequence.

Towards the latter end of the month of October, the state of excitement throughout Lower Canada, especially in the districts of Montreal and Three Rivers, was great indeed. The several public meetings which had been held in most of the counties in the latter, and in some in the former district, had been productive of the firmest determination on the part of the people to carry out, to the letter, the plan of *passive resistance* detailed in the introduction. By means of the non-consumption of all duty-paying articles, the popular leaders appear to have had every hope of driving the government to a redress of those grievances of which they had so long complained. A letter, written about this time by M. Papineau to Dr. Nelson of St. Denis, and since made public in the Montreal papers—not by M. Papineau's friends, but by his political adversaries—expresses the most vivid hope of success from this expedient, and strenuously urges Dr. Nelson to persevere in the course alluded to.

In this view, there is reason to believe, the popular party generally coincided; as their newspapers, the *Vindicator*, in English, and the *Minerve*, in French, continued to urge upon the people the necessity of "destroying the revenue which the resolutions of the imperial parliament proposed to seize," by abstaining from the consumption of all articles which, by bearing a customs duty, contributed to that revenue. Some rumours were, it is true, afloat, touching "ulterior objects," "independence," and "resistance;" but Lord Gosford, writing on the 12th of October, says, "I do not myself credit these reports, nor yet apprehend any serious disturbance, although there are, I admit, some persons of experience and information who think otherwise."* Even as late as the 30th of October, Lord Gosford gives his opinion that the object of "the party fomenting sedition" was not active resistance or revolt, for he states it to be "evident

* Par. Paper, December 23rd, 1837, No. 72, p. 65.—Most of our evidence for the statements made in this and the following chapters, is drawn from the series of parliamentary papers on Canada, printed this session, and numbered 72, 80, 99, and 100.

that one of the main objects of all the recent meetings and proceedings is to produce an effect in England, and to intimidate, as it is hoped, the imperial and local authorities."* In other words, that *moral force* was to be relied on.

There is no doubt that, at the beginning of the month of November, the public mind was in a fearfully agitated state; still there was no appearance of revolt in any part of the country. For this, we have the very best evidence, that of the governor's despatches, wherein he continued to assure Lord Glenelg that there was no reason to doubt the loyalty and good conduct of the people. Indeed, so strong was his opinion on this point, that in his proclamation of the 29th of November, after the affairs of St. Charles and St. Denis, he speaks of the loyalty of the people as "*hitherto uninterrupted*." We dwell upon this point as being essential to the right understanding of the true character of the struggle.

It is now necessary to remind the reader that drilling had been for some time going on, both among the popular party, and among those opposed to them. In a despatch, dated the 6th of November, Lord Gosford informs Lord Glenelg, that "large bodies of men are openly drilled every Sunday, in and near the city of Montreal;" that, "in addition to these public drills, there were daily drills going on of small bodies of men in private yards;" whilst, "on the other hand," his lordship adds, "the English party in that city have revived an old association, called 'The Doric Club,' and are likewise drilling and arming; and I have every reason to apprehend that some unfortunate collision will, before long, take place."

Thus, then, the armings and the drillings were not confined to one party. They took place openly—no attempt at concealment appears to have been made. And in the same despatch we find Lord Gosford lamenting that "no attempt had been made by the civil authorities to stop this treasonable practice, or to arrest and punish those engaged therein."† The reasons given for this want of energy were—first, the absence of sworn information to identify the parties; secondly, the want of a civil force sufficient to vindicate the law.

The non-interference of the civil authority may possibly have arisen from a dislike to disturb the Doric Club, with whose political views they coincided; and as it would be impossible to suppress the one and not the other, both were left undisturbed. This appears the more probable from the statements in their papers, showing generally that they felt confident that, in the event of a collision in the city, their party would get the better of their opponents.

On the day on which Lord Gosford penned the despatch

* Par. Paper, No. 72, p. 85.

† Par. Paper, No. 72, p. 94.

above alluded to, the collision which his lordship feared took place. In the afternoon of Monday, the 6th of November, the society calling themselves the "Sons of Liberty" had a meeting for the purpose (a lawful one, it must be admitted) of expressing their opinion on the resolutions of the Imperial parliament. The meeting was held in a private court-yard, at the west end of the city of Montreal. Whilst the meeting was going on, crowds of the adverse party collected around the place of meeting, and, like all adverse crowds, expressed their dissent by shouts and revilings. Subsequently stones were thrown into the meeting, soon after which it broke up. Two divisions went away; the third, unfortunately, came into collision with the Doric Club; stones were exchanged; the Doric Club retreated through a street called St. James's, where some windows were broken in the houses of two magistrates, one of whom was obnoxious to the people from his having called out the troops in 1832, (at an election!) when some persons were unhappily killed. Whether the windows were broken by accident or design* is not clear, neither is it important; suffice it to say that the troops were called out and the Riot Act was read, but in the mean time the Sons of Liberty had passed into the suburbs, and had separated.

If the matter had ended here, there would have been nothing to regret—nothing, certainly, worth recording. But this was not the case. In the course of the same evening, the *Vindicator* newspaper was destroyed, under circumstances at once disgraceful to the perpetrators, and to the authorities, by whom they ought to have been restrained. At about six o'clock in the evening, after the dispersion of the Sons of Liberty, their adversaries rallied, and having broken into the office of the paper in question, they proceeded to demolish the property and cast the types into the street.

The worst feature in the case is, that magistrates were present, and were applied to to protect the property, but remained inactive. It is said they even refused; but we content ourselves with the fact of their inactivity, which cannot be disputed. Troops, too, were on the spot, but still there was no protection for the property. It has been alleged that friends would have mustered in sufficient force to afford such protection, but that they were overawed by the troops, whom they knew to be under the direction of magistrates opposed to them in politics. The impression of the people is, that had a mob, composed of the popular party, attacked one of the constitutional papers, the troops would have been ordered to fire with eager haste. The existence of such an impression is alone sufficient evi-

* It has been stated that their doors were opened, so as to afford some of the Doric Club a shelter. If this be true, the stones were, doubtless, thrown designedly.

dence that there is much to deprecate in the conduct of the magistracy.

The newspapers of the "constitutional," or tory party, were not slow to perceive that the first attack upon property coming from them, was likely, not merely to do them considerable injury in the minds of right thinking people in this country, but that it was also a dangerous example to their adversaries. Accordingly it was generally alluded to by them as a most untoward event—as a circumstance deeply to be regretted. The tory party of Canada generally allege that they own the bulk of the property in the province. As far as the moveable property of the cities of Quebec and Montreal is concerned, the statement is perhaps true. Before they set so bad an example, they should have reflected that their property was of a destructible nature; indeed, this seems to have crossed their minds, for a few days after this they made application to the commander of the forces for troops to protect their steam-boats in winter quarters. It is probable, however, that at the moment no very nice calculation as to consequences was made. The perpetrators of the act were in an excited state; the *Vindicator* was their untiring enemy, to annihilate it was their object, and even had it required greater sacrifices they would willingly have been made. To silence the only liberal paper in the English language was fully worth the risk, and even the obloquy inseparable from its accomplishment.

It may be well to conclude this account of the riot in the words of authority. The solicitor-general's official report to Lord Gosford is couched in the following terms:—

"A riot took place last evening, about four o'clock. The accounts in the newspapers cannot be depended on, because party feelings will give an untrue colouring on both sides. Monsieur Martin gives the following statement as correct.

"The *Patriotes* met to the number of about three hundred and fifty, in a large yard opening in Great St. James's-street, near the American Presbyterian church. They had their speeches, and their huzzas, and their treason in private, the gate of the yard being shut. A number of constitutionalists were outside: stones were thrown into the yard, and towards the close of the meeting, grown-up boys were seen pushing sticks under the gate. An English flag was also carried about. The *Patriotes* broke out, and drove the constitutionalists before them towards the Bank, breaking the windows of Dr. Robertson *en passant*. They continued moving on victorious, until they reached nearly opposite the Court House; here the constitutionalists, having been reinforced by the Doric Club, made a stand, and drove back their assailants in their turn as far as the Place d'Armes, from which the latter made their escape into the suburbs. The troops then came out, and the Doric Club having dispersed, they followed the rioters, who kept in small bodies through the suburbs. Parties

of the Doric now re-assembled, broke some of the windows in M. Papineau's house, and then proceeded to the office of the *Vindicator*, the interior of which they demolished before the troops could return.* This last statement is an error: the troops were there, except at the commencement of the affray, quite in time, indeed, to have saved the property from destruction. Colonel Wetherall, in his report, states, that he was too late to save the property; but he states also that the Patriotes were the aggressors, in contradiction to the solicitor-general's report; this vitiates his evidence in the first case.*

As this paper and its editor, Dr. O'Callaghan, hold a conspicuous place in the history of Canadian discontent, we shall make no apology for detaining the reader a short time on the subject. The *Vindicator* was established about ten years ago, under the title of the *Irish Vindicator*, and was then supposed to advocate the interests of the Irish inhabitants of Canada. As the Irish generally adhere to the majority of the assembly, the politics of the paper were from the first decidedly liberal; and as the then editor was a dealer in strong language, it had the character, among the anti-popular party, of being a most merciless scarifier of its political enemies. Certain it is, that by its constant animosity to the official class and their partisans, it became as obnoxious to them as it was popular amongst its own immediate readers. In 1832, Dr. Tracy, the editor, was invited to become a candidate for the west ward of Montreal, against a gentleman named Bagg, a tory. At this election, party spirit ran very high: Tracy was of course hated by the anti-popular party, for his connection with the *Vindicator*. Bagg had not been previously an unpopular man, but he was now hateful because he was the opponent of Tracy. The popular party prevailed by a majority of one, Bagg retiring under protest, but not until the troops had been called out, on light grounds as it should seem, and had shot three of the citizens—an event which, like the Boston massacre, will never be forgotten.

Soon after this unhappy event, Tracy died of cholera, when the *Vindicator* fell into the hands of a mere trading scribe, and there seemed every reason to believe that it would lose the confidence of its subscribers. The difficulty, however, was subsequently gotten rid of, and in May, 1833, Dr. O'Callaghan became its editor, in which office he continued until its destruction, in November, 1837.

Dr. O'Callaghan† is a native of Ireland, and, we believe, of

* Colonel Wetherall takes the merit of saving M. Papineau's house; the Solicitor General says the mob went from M. Papineau's house to the *Vindicator* office. A mob which had given evidence of its destructive disposition should have been dispersed or watched.

† It was intended to give short biographies of the leading men in a separate chapter, but it has been thought more advisable to embody them in the narrative.

Cork; at least, in and about that city some of his relatives now dwell. He emigrated to Quebec about eleven or twelve years since, but for some time he does not appear to have mixed in politics; at least, our early recollection of him is merely as a medical practitioner.

It is about the year 1830, that we first remember Dr. O'Callaghan in the character of a politician, attending public meetings during an election at Quebec; as an elector, questioning the candidates, and speaking in behalf of those whom he deemed fittest for the trust. There must have been *something* in his speeches of that day, for we distinctly recollect that he was much abused in a paper owned and edited by official gentlemen.

When the cholera broke out in 1832, Dr. O'Callaghan made himself honourably conspicuous as one of the most assiduous of the medical profession, in relieving the sufferings of the poorer class of people; especially, those of his unfortunate fellow countrymen, the recent emigrants from Ireland. The tory paper of Quebec forgot, for the time, his political sins, and he was only thought of as the Samaritan of the pest-house.

Soon after this period, the prospectus of a liberal paper made its appearance at Quebec, and it was understood that Dr. O'Callaghan was to be the editor. The project was not, however, carried into execution; but O'Callaghan, nevertheless, occasionally contributed to the existing papers, in a manner to turn the eyes of the proprietors of the *Vindicator* towards him, in their difficulty with their editor, after Dr. Tracy's death. This ended in his assumption of the editorship in May, 1833, as we have stated; and from that time to the period of its destruction the paper was under his sole control.

Notwithstanding he alone was responsible for the contents and tone of the paper, it was generally considered as the organ of the majority of the Assembly. Not that any one believed the speaker, or any set of members exercised any surveillance or control over its doctrines, but it was not denied that it advocated, and ably advocated their views; and thus by common consent, it was referred to, both by friend and foe, as the liberal organ; a distinction not always conceded to the *Minerve*, the liberal paper in the French language.

In the management of a Colonial paper the editor is all in all. He must know every thing,—he must do every thing. The "division of labour" is scarcely known among our colonial journalists. The editor is the sole lord of both the pen and the scissors, and his work never ends. The *Vindicator* was published twice a week, and is certainly a standing testimony of the editor's skill and industry. During the period of his "administration," it exhibits all the energy of his predecessor, without his virulence. There was much more care as to facts, and whilst the exposure of abuses was constant, there was much less of mere personal in-

vective, than had formerly characterised its pages. In short, it took rank as the best paper in the Canadas; and even its enemies—those who on principle abstained from purchasing it—were anxious to learn what it said at periods of political excitement.

We have before us a long series of the *Vindicator*, and if we were called upon to state the leading feature of that journal, we should pronounce it to be the exposure of what has been called the “origin fallacy.” The “Constitutionalists” allege that the quarrel is one of origin; that it is one of French against English. The majority of the Assembly contend, that the struggle is for *good government*, and that origin has nothing to do with the matter. In proof of this, cases are cited where Englishmen—the representatives of English counties, are found voting with the French majority*—whilst French Canadian constituencies are to be found returning British men,—English, Scotch, and Irish, to the Assembly.

As if to confirm the doctrine of our editor at the general election of 1834; an election which, be it remembered, turned on the application of the elective principle to the Legislative Council, he was returned for a French county, Yamaska; and what is still more worthy of remark, he ousted a French Canadian, named Badeaux. Use, or rather abuse, had been made of the appeal to origin at this election; but the Canadians replied, “Better a good Irishman than a bad Canadian;” and so O’Callaghan became member for Yamaska.

In the Assembly, he fully justified the confidence which had been reposed in him. He was always at his post, and as ready in debate, as he was indefatigable in committee. He is skilled in the use of the French language, which he speaks publicly—an accomplishment of rare occurrence among “old countrymen;” and, as to his industry, some evidence of that is to be found in sundry reports signed by him, reprinted last session by order of the House of Commons. Here we shall take our leave of Dr. O’Callaghan, until the chronological order of our narrative again brings him before us.

Rumours of the excited state of the country now increased from day to day, and various circumstances tended to generate an impression, that the government intended to strike a blow. Two days after the destruction of the liberal paper, the attorney-general unexpectedly made his appearance in Montreal. As this gentleman has been all his life opposed to the Assembly in politics, his proceedings were narrowly watched by the popular leaders. Whispers of affidavits, warrants, and arrests, were heard from time to time, but as yet, all was uncertainty and doubt. The public mind was evidently agitated; men looked suspiciously around them, as they asked “What is Ogden’s business here?”

* See this question fully stated in the Introduction.

The mystery was soon cleared up. News reached Montreal that, on the 13th of November, M. Morin and four other persons had been arrested at Quebec, charged with *sedition practices*. This accusation probably arose out of a meeting which took place in that city in October, where some strong resolutions were passed, condemning the resolutions of the Imperial parliament. There was nothing in the language of this meeting, that we do not occasionally witness in this country; but a weak government, like that of Lower Canada, is prone to alarm, and, as former experience tells us, a vague charge of sedition may be made to spring out of a small matter.

M. Morin was obnoxious to the executive of Lower Canada, because he was one of the most active of the *majority* in the Assembly; being a good writer, an effective, but somewhat plain and unostentatious speaker, and moreover, one of the hardest workers in the House.

M. Morin is the son of a substantial farmer, and was educated at the seminary of Quebec. He chose the law as his profession, and has for some time practised at Quebec; but for many years he edited the *Minerve* newspaper, at which time it enjoyed considerable reputation as a sound and well-conducted paper. M. Morin has sat for seven or eight years for the county of Bellechasse, in the district of Quebec, where he has some property; and in 1834, he received testimony of the good opinion of his fellow-members by being deputed to bring their petition to this country, and to urge its prayer in any way which should be deemed expedient. M. Morin accordingly gave evidence* before the committee of the House of Commons which sat in 1834, which evidence may be referred to as embodying the views of the Assembly, on all the subjects in dispute between the two contending parties.

M. Morin returned from his mission just previous to the general election of 1834, and was again chosen one of the members for his own county; he has since continued his political activity, not merely voting with the majority, but taking a prominent part in preparing most of the public documents put forward by the Assembly. Such being M. Morin's character, we must not wonder that he was marked out as an object of attack. Subsequently, M. Morin was admitted to bail.

A considerable source of alarm to the liberal party now made its appearance, in the shape of a new commission of the peace for the district of Montreal. From this new commission of the peace were excluded most of the former magistrates, who were known to sympathize with the majority of the assembly. Men of the most moderate, and even *passive* liberality, were omitted. If

* This evidence was suppressed at the time, but will be found printed among the sessional papers of 1837, No. 211.

these had been fierce active politicians, there would have been nothing very remarkable in it, provided the active men on the other side had been omitted also. But this was not the case: the rejected were many of them men who had taken no part in the public meetings of the summer; whilst of those who were retained, many were among the most violent of the anti-popular party. Of course it would be alleged by the local executive, that the men who were retained, however violent, were *well affected* towards the government;—were, in short, of the governing party. This may, perhaps, be deemed a good and sufficient reason by many persons into whose hands these pages may fall; all that we desire to show is, that it created alarm in the minds of the liberal party. So long as liberal magistrates remained, there was some chance of escaping the horrors of a gaol by being liberated on bail. The new commission of the peace destroyed this hope.

A very few days confirmed these fears. On the evening of the 16th of November six persons were arrested and cast into prison, charged with high treason. Among these were André Ouimette, the president of the young men's society, called the Sons of Liberty, together with some members of the committee; and Louis Michel Viger, a member of the Assembly and president of the People's Bank. This gentleman had not mixed in politics for some time, except in the Assembly, at a public meeting of his own constituents, and at the meeting of the six counties, one of which he represented. Hence his arrest created a feeling of insecurity, and consequently of alarm, in the minds of all those who, without being active politicians, nevertheless coincided in opinion with the majority of the assembly.

It had already been whispered that warrants were issued, or were about to be issued, against the leading members of the assembly—M. Papineau, Dr. O'Callaghan, M. Ovide Perrault,* and others. In order to judge of the effects produced on their minds by these rumours and arrests, it is necessary first to consider the constitution of the courts of justice, and the relation which the threatened parties bore to the judiciary: and second, to take in consecutive order all the events which had recently occurred. The threatened leaders had been for years endeavouring to render the judges responsible to the Assembly; and they felt that the judges could not but feel considerable animosity towards them. An act, providing for the summoning of juries on a fair principle, had expired, and had not been revived; so that the sheriff's will determined the mode of summoning. Now the sheriff is also an officer whom the Assembly had sought to render responsible, and to his ill-will they felt themselves in a manner entitled. In addition to this, the executive—the prosecutor in the expected proceedings, had, on the 15th of October, paid the judges and the sheriff, in virtue of the eighth resolution of the imperial parlia-

* M. Perrault's name is not on the attorney-general's list.

ment; and this the Canadian leaders regarded as equivalent to the bribing of their judges. With such feelings predominant in their minds—no matter whether those feelings were justifiable to their full extent or not—it must be quite clear that confidence* in the courts of justice was entirely out of the question. We have perused a private letter, written by one of the parties under the excited feelings alluded to, and stating that "with such a combination of circumstances against them, they saw in the gaol only a road to the scaffold." They regarded the destruction of the *Vindicator*, the attorney-general's visit, the new commission of the peace, and the arrests, as a preconceived chain of operations on the part of the executive to convert the plan of passive resistance, from which they hoped so much, into a state of active revolt, capable of being put down by force. Such was the impression under which the Canadian leaders withdrew from the city of Montreal, about the 17th or 18th of November last.

It has been asked, "Why were not the chief offenders arrested at once? Why was it permitted to transpire that warrants were out against the gentlemen in question? Assuredly," it has been said, "M. Papineau ought to have been the first person arrested;—you denounce him as the chief fomentor of discontent, and yet you studiously, as it should seem, give him time to escape, and pounce only on the inferior persons of the drama. You had it in your power," it is further urged, "to take such a step before suspicion of your design could possibly have entered into the minds of M. Papineau's friends. While you were sounding the tocsin by Morin's arrest, by the new magistracy, by your ostentatious preparations—you ought to have been busied in possessing yourself of the chief offender. The course you have adopted lays you open to the suspicion of intending either to drive the leaders into exile, or, perhaps, into revolt."

There is, it must be confessed, some unexplained mystery in the conduct of the local executive, in relation to the proceedings of November. Lord Gosford is himself, in all probability, not chargeable with any such design; but his executive council is composed of men, between whom and the Assembly had long existed a perpetual feud: and it is possible they may have deemed it wise and proper to pursue the course pointed out, the more especially as M. Papineau had clearly kept himself within the bounds of the law, his measures of agitation notwithstanding.

In the meantime, all persons attached to the local government were encouraged to form themselves into volunteer companies,† and were furnished with arms by the commander of the forces. A regiment of volunteer cavalry had long existed in Montreal. This was immediately strengthened, and promotion given to the officers; though not, as it appears, without giving umbrage to

* For some facts of a character to warrant this feeling, see Chap. iii.

† For details on this subject, see Chap. iii.

some who considered their merits to have been overlooked. A rifle corps was also either formed, or re-organised; and various other volunteer corps armed and equipped. In short, every man of the constitutional party called himself a soldier. The number of volunteers, at the end of November, is stated to have reached two thousand in Montreal alone; besides some few companies in Missisquoi and other counties. In Quebec too the enrolment of volunteers was very general.

Sir John Colborne had also called upon the pensioners scattered throughout the province to form a corps of veterans, but it does not appear that this led to any result.

An event now occurred which certainly hastened the resort to military force, and gave the character of insurrection to the defensive operations of the people. Among the persons against whom warrants had been issued, were Dr. D'Avignon and M. Demaray, a notary, both residing at St. John's, a small town at the northern extremity of the lake Champlain navigation.* The execution of these warrants was entrusted to a party of eighteen of the royal Montreal volunteer cavalry, who, accompanied by a constable, succeeded in making the arrest. It should be observed that the regular road between Montreal and St. John's is by steam-boat to La Prairie, and thence by rail-road. By this route the prisoners could have been conveyed to La Prairie in fifty minutes, and thence to Montreal in thirty more. For some reason or other, however, the longer and more difficult route, by Chambly and Longueuil, was chosen. Probably this course was adopted for the purpose of intimidating. It was natural for the volunteers to think that the parading their prisoners through the counties would have a beneficial moral effect; and it is also not inconsistent with human nature, to suppose that a feeling of triumph at their success may have caused the captors to prefer the longer route. Be this as it may, the result was anything but fortunate to the volunteers. At several parts of their route they fell in with armed parties; but they were not molested until almost within sight of the city. Just before reaching Longueuil, on the shore of the St. Lawrence, opposite Montreal, they were met by an armed party of the peasantry, of considerable strength, who demanded the release of the prisoners. This demand was, of course, not complied with; when immediately the cavalry were fired upon, and three of their number, and some of their horses wounded. Hereupon they discharged their pistols and galloped off, leaving their prisoners. A further account states that "there were about sixty men on the knees, so as to take a deadly aim, when Malo (the constable) called out, "Do not fire!" and the command was given to the cavalry to halt, which was fortunately promptly obeyed, as a considerable portion of the enemy's fire, given at the same moment, proved ineffectual, owing to their an-

* See Chap. ii., and Map.

icipating the continued advance of the troop. The cavalry then wheeled about, and discharged their pistols among the crowd, and, it is reported, with some effect.* There is one reason for the escape of the cavalry, not thought of by the Montreal editors, though, as it seems to us, a more probable one than any yet given—the assailants may have feared to injure the prisoners.

It is curious, that in the report of the law officers of the crown†, the cavalry are called “a body of mounted police,” and one of the newspapers contended, against some disputant, that they were “acting as special constables;” this was evidently done to bear out Sir John Colborne, who had expressed his unwillingness to employ the military until the civil force had proved inadequate. In all probability, the employment of these persons was much more obnoxious to the people, than the resort to a regular military force would have been, for the very obvious reason that the cavalry consisted of their political opponents, and they would naturally regard the step as an unfair and partial arming of their political enemies against them.

As may be imagined, the return of the cavalry created great agitation in the city of Montreal. A despatch was forwarded to Lord Gosford, detailing all the particulars; and recommending (such was the conjecture of the Montreal papers) a partial declaration of martial law. On the following morning, four companies of the Royals, a party of the artillery with two field pieces, and about twenty of the cavalry proceeded, under the command of Colonel Wetherall, to the scene of the rescue; or, as it was stated, on special duty not yet disclosed, between Longueuil and Chambly. This force was accompanied by two magistrates, and the deputy sheriff of the district, “to authorise its movements.” Its operations will be detailed in the next chapter.

Of the absentees, little was known at the time.† The Montreal *Courier* we find expressing itself in the following manner:—

“Conflicting reports are current as to the *locale* of the un-arrested leaders, and of M. Papineau in particular. By some, it is confidently stated that he is in town; by others, that he has even left the country, and has crossed the line. We believe neither report to be correct. The authorities, we trust, will lose no time in following up the blow they have now struck. They have passed the Rubicon, and the success of their measures must henceforth depend mainly on their promptness.

“No stone must be left unturned to insure the arrest of every man against whom evidence can be found to warrant a fair hope of his conviction.

“There is a little doubt expressed in some quarters, as to the fact of a warrant being out against Papineau; but we trust, there is no ground for such a doubt.

* Montreal Herald.

† Par. paper, Dec. 23, 1837, No. 72, page, 109.

† November 20.

"The number of warrants prepared is, we believe, considerable; and some one of them must be for the head offender."

It is now known that there was a warrant. Moreover, at a meeting of the executive council at Quebec, on the 23d of November, the following report was agreed to:—

"His excellency laid before the board the official communication from the attorney general, stating, that warrants had been issued for the apprehension of Louis Joseph Papineau, and twenty-six others, for high treason; and there being reason to suppose that M. Papineau had absconded from Montreal, and that he is now in the district of Quebec;"

"It was ordered by the advice of the board, and after having examined M. Duval, one of the queen's counsel on the subject, that immediate steps be taken for the apprehension of M. Papineau; and that it being expedient that a warrant, signed by a justice of the peace, for the five districts of Montreal, Quebec, Three-Rivers, St. Francis, and Gaspé, should issue for this purpose; it was further ordered, that M. Duval be directed to draft the warrant in accordance with the advice given by him on the subject."*

We have now brought to a close our narrative of the events which immediately preceded the first military movement against the people of the country watered by the river Richelieu. The details of this movement will form the subject-matter of the next chapter, the present we cannot better conclude than with a short biographical notice of M. Papineau.

The family of M. Papineau was originally from the west of France, whence they emigrated about a hundred and fifty years ago to Canada, then more generally called New France.

The father of M. Papineau, who is still living, exercised the profession of a notary—an occupation of considerable importance under the civil law of France, which prevails in Lower Canada, inasmuch as the whole business of conveyancing, of drawing settlements, marriage contracts, wills, &c., is assigned to them. Moreover, being better educated than their neighbours, the office of general dispute-settler to their neighbourhood falls tacitly into their hands.

The elder M. Papineau was a member of the first Assembly,† summoned under the constitutional act in 1792, and he continued to be elected to each succeeding Assembly, until he retired from public life in 1814, universally respected by his compatriots.

Louis Joseph Papineau, the subject of this brief notice, was born in the year 1787, and was educated at the seminary of Quebec. He studied for the legal profession, and was in due course admitted to the bar; but he never practised, having

* Par. paper, Dec. 23, 1837, No. 72, p. 114.

† He sat first for the county, and afterwards for one of the wards of the city of Montreal.

determined to devote himself to public life, which his election to the Assembly in 1809 afforded him an opportunity of doing.

His first election he probably owed to the respect due to his name, but he soon earned a reputation for himself by the energy and talent he displayed as an advocate of popular rights; and, on his father's retirement, he was invited to represent the west ward of the city of Montreal, for which he has continued to sit to the present time. On the elevation of Mr. Speaker Panet to the bench in 1815, M. Papineau was chosen to succeed him, the Assembly thus conferring on him the highest honour they have it in their power to bestow.

In the same year, peace was concluded with the United States of America, and as soon as the Assembly had gotten through certain matters of legislation, arising out of the late war, the old disputes about money were renewed.* The offer of the Assembly to take upon themselves the civil expenditure was repealed, and England being in a state of embarrassment, it was accepted. Then came the manifold efforts of the official party to avoid being amenable to the Assembly, and the counter exertions of the Assembly to bring them under their control. In all these disputes M. Papineau took a prominent part, and he rose greatly in the estimation of his compatriots.

In 1822, a proposal was brought before parliament to unite the two provinces of Upper and Lower Canada. This measure was not popular in either province. In Lower Canada especially, the opposition was very great; petitions were prepared, and were signed by no less than 60,000 persons, out of a population of 400,000, and M. Papineau was deputed with Mr. John Neilson of Quebec, to convey the petitions to England, and there to support their prayer. M. Papineau accordingly proceeded to England, having first resigned the speakership.

This mission was successful. The two delegates returned to Canada in 1824, when they were enabled to communicate to the Assembly that the decision was for the present abandoned; and moreover, that "if the consideration of an union of the provinces should be resumed, the colonial minister pledged himself that the circumstance should previously be notified through the governor, to the inhabitants of the colony, in order to enable them to be heard in parliament if they should think proper, by commissioners, by petition, or in such other manner as they should see fit."†

Shortly after this period, the disputes between the Assembly and the executive, respecting the appropriation of the public money, became greatly aggravated by the conduct of the Earl of Dalhousie, who pursued a series of arbitrary measures which greatly exasperated the Assembly and the people.‡ Lord Dalhousie unwisely imparted to the disputes a personal character, as Sir

* For complete details respecting these disputes, see the Introduction.

† Journal of Assembly, 1824.

‡ See Introduction.

James Craig had done in 1810. He dismissed with ignominy from the magistracy those who were opposed to his policy, and even refused to ratify the Assembly's choice of M. Papineau as speaker. On this, as well as on all other points, however, he was beaten by the firmness of the Assembly; as a matter of principle, they would certainly have persisted in their choice, and they were doubly disposed to do so, on account of their attachment to the object of that choice. The Earl was afterwards recalled, but not until he had set the province almost in flames; the exasperated state of the public mind resulting in the petitions of 1827, and the committee of 1828.*

We shall not further pursue M. Papineau's political course. To do so, would be to write the history of the disputes with which he is so completely identified over again. We shall content ourselves by saying, that his master spirit has guided the course of the Assembly down to the latest period. With its virtues and its errors he is undoubtedly identified; and his public conduct must be approved or condemned, in the precise measure of the reader's approval or disapproval of the course adopted by the Assembly.

In person, M. Papineau is considerably above the middle stature; his countenance is grave, and, at times, even stern; in conversation, however, his expression is not unfrequently playful, though without interfering with the dignity of his air and manner. By his private acquaintances and friends he is greatly esteemed as a man of amiable disposition, and his address is certainly engaging;—yet, by his enemies, he is deemed a man of ungovernable temper—an accusation not unfrequently made against public men who are in the habit of expressing with force and energy, both of language and manner, the indignation which they feel.

M. Papineau's commanding eloquence is admitted by all parties. He is thoroughly acquainted with the English language, which he makes use of, when the occasion requires it, with the same fluency as that with which he speaks his mother tongue. He is thoroughly acquainted with what may be called the constitutional history, both of this country and the United States; and is even versed in the occult mysteries of our party politics. He has been said to be an enemy to trade; this, however, will be appreciated when we know who are his accusers. They are the colonial merchants, a class of men whose life-blood is restriction and monopoly. M. Papineau is, in fact, an enemy to trade, in the same sense that Mr. Poulett Thomson, Sir Henry Parnell, Mr. Warburton, and others of similar views are its enemies.

To characterize, in short, M. Papineau's political principles, a single word will suffice—he is, by conviction, a democrat;—a state of mind which he owes, perhaps, more to the circumstances

* See Introduction.

by which he is surrounded, than to any acquired theoretical views concerning government. In a country where the mass of the people are singularly equal in point of social condition,—where everything tends to self-government, it is difficult to be otherwise. Here the matter is entirely different: those who are theoretically democratic find great difficulty in casting aside their ancient associations—prejudices, though they be. In judging of the state of opinion in Canada, we shall do well to bear this continually in mind.

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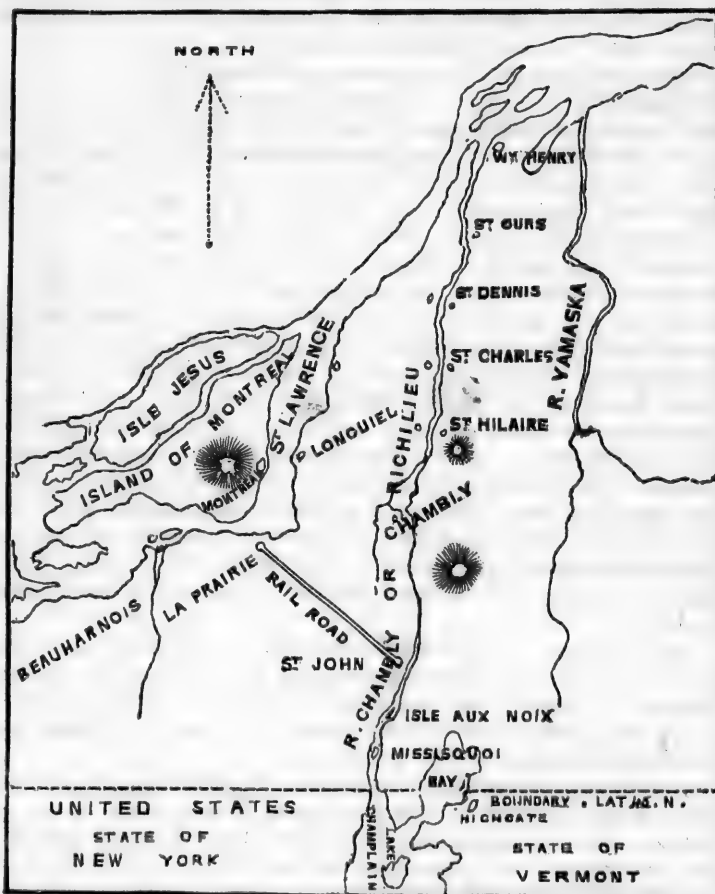
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CHAPTER II.

THE SEVEN DAYS' CAMPAIGN ON THE RICHELIEU RIVER.

Description of the Country watered by the Richelieu River, extending from Lake Champlain to the River St. Lawrence. Departure of the troops under Colonels Gore and Wetherall—Their force—Object of the Expedition—Plan—Preparations at St. Charles—Mr. Brown. The affair of St. Denis—Nelson—Perrault—Lieutenant Weir—Retreat of Colonel Gore. The affair of St. Charles—The Retreat—Skirmishing—An intercepted Despatch—Alarm in the City—Rumours—Close of the Campaign.

MAP OF THE SEAT OF THE CAMPAIGN.



BEFORE we enter upon the military operations against St. Denis and St. Charles, it will be necessary for the right understanding

thereof, to describe briefly the theatre of the contest. To assist in gaining a clear conception of the relative position of the several places named in the despatches, and other accounts, the reader is requested to refer to the annexed map, comprising a triangular-shaped district, based on the boundary line of the United States, and extending to the island of Montreal on the north-west, and to the mouths of the Richelieu and the Yamaska rivers on the north-east.

The River Richelieu,* which, with its tributaries, waters the whole of this district, flows out of Lake Champlain in a northerly direction, and empties itself into the River St. Lawrence, about forty-five miles below Montreal. It forms the northern end of a great chain of water communication, commencing at New York, and embracing the Hudson River, the Champlain Canal, and the lake of the same name.

This river is of great importance in a commercial as well as in a military point of view. St. John's is the northern limit of the ship and steam navigation of the lake; and is therefore a place of considerable trade. The direct communication hence to Montreal is by a rail-road to La Prairie, a distance of eighteen miles, and thence by steam-boat to the city. The navigation of the Richelieu River, from St. John's to Chambly, can only be performed in flat-bottomed boats, or bateaux, as there is much interruption from rapids. A canal, however, is in course of construction, to avoid these rapids. From Chambly, where there is a fine basin, the course of the river is smooth and tranquil, though shallow, and therefore requiring steam-boats drawing but little water. Between Sorel and St. Denis the channel is of greater depth.

By a series of fortifications along the whole course of the river, the communication with Lake Champlain is completely controlled. Isle aux Noix is an island situated only ten miles from the American lines. It lies low, but is well fortified, and completely commands the channel of the river. During the war, a thirty-two-gun ship, the *Confiance*, was built here. At St. John's there is also an old fort, but it has been long suffered to fall into decay.

Fort Chambly, on the south-west side of the basin, is a place of some, though not of very great strength. It was built by the French, previous to the conquest, and looks more like a county gaol than a fort: it has no outworks, and the storehouses are wholly unprotected.

Let the reader now carry his eye to the confluence of the river with the St. Lawrence. On the eastern bank stands Sorel, or William Henry, a small town of about fifteen hundred inhabitants, forming a stopping-place for the Quebec and Montreal steam-boats, where they usually take in fuel. The French had a fort here; we have a barrack with some slight defences, where

* It is also called the Chambly River, and occasionally the Sorel.

a company, and sometimes a smaller number, are usually stationed. On the opposite shore is a blockhouse, which may in some degree protect the channel.

The places included in the military operations will be found in the following order, proceeding south from Sorel:—

St. Ours, St. Denis, St. Charles, St. Hilaire, on the east bank of the river; and Chambly and St. John's, already described, on the west.

The villages on this river, situated in seigneuries of the same names—with the exception of St. Hilaire, which is in the seigneurie of Rouville—are from two to three leagues (six to nine miles) from each other. The seigneurie of St. Ours contains about six thousand inhabitants; and the village consists of about ninety houses, many of them well built. The parish church is a handsome edifice, and stands in the centre of the village.

The seigneurie of St. Denis is not much above half as populous as St. Ours; nevertheless, the village is certainly as large, and perhaps rather larger. The church is a handsome building with three spires; and on the side of the village, towards St. Ours, stands a large stone house, the property of Madame St. Germain, the widow of the late seigneur—a house which was made to play a conspicuous part in the events we are about to relate.

The seigneurie of St. Charles does not contain more than sixteen hundred souls; and the houses round the parish church and seigneurial house do not probably number thirty. In our narrative, however, it is a place of some importance. The seigneur of St. Charles, Mr. Debartzch, is a person who has for many years played a singular and not very creditable part in the politics of Canada. For many years he was the most violent of the popular party. He was continually urging his political associates to resist by force; he it was who, in 1831 or 1832, organised the five counties, and so paved the way to the present outbreak. He is a man of considerable ability and education, and writes well. A few years ago, he set up a printing press in the village, and established a weekly newspaper called, *L'Echo du Pays*. It was well edited, but was distinguished for its excessive violence, openly recommending rebellion to the people. In 1834, in a speech he made in the Montreal convention, he is reported to have used language of similar tenor. No man was then more violently denounced by the anti-popular papers, no epithet was bad enough for him; now he is Lord Gosford's chief adviser. When at school, it is said, his great delight was to set two little boys to fight for apples, and when the strife was highest, he quietly walked away. His political conduct is now somewhat similar.

St. Hilaire is the name of a parish in the seigneurie of Rouville, rather than of a village, as there are only a few houses around the parish church. The place is remarkable for an

insulated mountain of surpassing beauty, about 1100 feet high, visible from a great distance in all directions.

All the villages on this river derive their importance from the wheat trade, the district being well cultivated, and the farmers intelligent and wealthy. The roads generally are in good order, running in lines parallel with the river. These roads are known as the Concession roads, as they divide the different ranges of lands conceded, and to be conceded, and therefore called *Les Concessions*.

The whole of the country between the Richelieu and the Yamaska is level, and as it was early settled there is not much wood. For this reason, it affords regular troops a great advantage over the undisciplined peasantry. In the American revolutionary war, our troops were beaten by the forests* more than by their adversaries.

Having now given the reader an idea of the country, we proceed to the immediate subject of the chapter. Colonel Wetherall, as we have seen,† left Montreal with four companies of the royals, and detachments of the royal artillery, and the Montreal cavalry. This force was accompanied by two magistrates, and the deputy sheriff, and its destination was Chambly. On the march, the houses of the *habitans*‡ were generally deserted; mounted scouts were observed reconnoitering, and in many places, women and children making towards the back Concessions. The troops were also somewhat annoyed by armed parties of the peasantry, and seven prisoners were taken, with which the troops marched to Chambly.

On the 22nd, Colonel Gore left Montreal by a steam-boat, on route for Sorel, having under his command the flank companies of the 24th regiment, under Lieutenant-colonel Hughes, the light company of the 32nd commanded by Captain Markham, one howitzer (twelve-pounder) under Lieutenant Newcomen, and a party of the Montreal cavalry, under Cornet Sweeney. Colonel Gore reached Sorel the same evening, where his force was augmented by two companies of the 66th, under Captain Crompton; making it in all, about four hundred men.

The object of the expedition we shall state in the words of Sir John Colborne, the commander of the forces, who, in his despatch of the 29th of November, addressed to Lord Fitzroy Somerset, writes as follows:—

“The law-officers of the crown, and the magistrates of Montreal having applied to me for military force, *to assist the civil power in apprehending Mr. Papineau, and other traitors*, who were supposed to be at the villages of St. Denis and St. Charles, I ordered strong detachments to support the civil authorities in the execution of their duty.

* See Chap. v.

† Chap. i. p. 13.

‡ The peasantry are so called.

"St. Denis is seven miles to the northward of St. Charles, on the right bank of the Richelieu; the former, sixteen miles from Sorel, the latter, about seventeen miles from the Ferry of Chambly, opposite Pointe Olivière.

"Colonel Gore and Lieutenant-colonel Hughes, with five companies, and a howitzer, were ordered to proceed from Sorel to St. Denis; and five companies and two guns to move from Chambly on to St. Charles, under the command of Lieutenant-colonel Wetherall of the royal regiment, accompanied by two magistrates, to execute the warrants against those individuals charged with high-treason; and, it appeared probable, that the appearance of the troops at these points, and entering the villages nearly at the same time, would afford an opportunity of taking into custody the leaders of the revolt."*

This plan of combined operation from opposite directions, seems to evince considerable judgment on the part of Sir John Colborne. Had it been successful, the effect must have been to hem in the accused parties, and to surround them at some point of union between St. Charles and St. Denis, before they could possibly escape to the south of the frontier.

Between the time of Colonel Wetherall's departure from Montreal, and the commencement of his march from Chambly, time had been given to the insurgents at Chambly to make some rude preparations for defence. It may be here proper to mention, that the people of St. Charles were suspicious of Debartzch, and had come to the determination of keeping him a prisoner at his residence in the country. They were fearful, that if he were permitted to go to Quebec or Montreal, his undoubted influence with the governor might operate against the safety of any of their number who might be under accusation. Under this impression he was confined to his own house. Through the interference, however, of some of the leading men of the neighbourhood, he was liberated, and he proceeded at once to Quebec, where we find his name on the minutes of the council of the 20th of November,† advising, and authorising the military operations which were then in progress.

It appears to have been after the departure of Debartzch from St. Charles, that Mr. Browne arrived at the village. Being aware that a military force was in motion, it was deemed expedient to strengthen their position as much as possible. Debartzch's house was made head quarters, and with the assistance of a strong party of *habitans*, Browne proceeded to throw up a line of rude fortification around the portion of the village which they occupied. This line included some three or four large barns stocked with grain and hay; a circumstance which the reader

* Par. paper, No. 80, (in continuation of 72,) p. 3.

† Par. paper, No. 72, p. 114.

will do well to bear in mind, as it exercised a considerable influence on the ultimate fate of the village.

We have seen that the intention was to make a simultaneous movement on the two villages. Colonel Gore being instructed to march *up the river*, and Colonel Wetherall to march *down the river* at the same time; the distance being about equal in both cases.

Colonel Gore appears to have been prompt in obeying his instructions. He reached Sorel at six o'clock in the evening of the 22nd, and marched thence at ten o'clock at night. The march was a difficult one. "The roads being deep," says Colonel Gore in his report; * "the march was severe—although the distance was only eighteen miles—it having rained violently all night, the mud and water reaching to the knees; I did not reach the small but rapid river which crosses the road four miles and a half from St. Denis, until some time after daylight; in order to arrive at my destination with as little delay as possible, I took the back road to avoid the village of St. Ours, and passed the small river by a bridge higher up than the one by the main road; also, for the purpose of taking on an intelligent guide, who had volunteered to lead."

Leaving Colonel Gore for the present, within a league and a half of the village, let us turn to an account of the preparations which were then making for the reception of the troops. This account, we must observe, is from an eye-witness. It has already been printed in some of the newspapers, and we have ascertained that it is genuine. Moreover, with only two exceptions, namely, the force employed, and the respective losses, it agrees generally with Colonel Gore's statement.

"The detachment sent to Sorel, per the steam-boat, landed at that place on Wednesday night, the 22nd November, and at ten o'clock, guided by a man named Jones, they set out for St. Denis, eighteen miles from Sorel, and six from St. Charles. Instead of passing through St. Ours—an intermediate village—they took a back road through the Concessions, unknown to the people along the bank of the river. It was not until two or three hours before their arrival at St. Denis, on Thursday the 23rd, that Mr.— received information of the expedition. He immediately sent notice to the people of the vicinity, of the threatened attack. There was a warrant, be it remembered, against Mr.—,† and several others of the *notables* (leading men). It was forthwith determined to resist the progress of the troops through St. Denis, well knowing that scarce a man would be left in the village, if once the troops got possession of the place. The *tocsin* was

* Par. paper, No. 8, p. 4.

† So in the original. It is generally stated in the anti-popular accounts, that Dr. Wolfred Nelson commanded at St. Denis.

immediately rung, and before the troops arrived BARRICADES were thrown up at the entrance of the village, and *between three and four hundred men* were collected, but ill-armed, all with the intent of opposing force to force. Mr.— having thrown out some sharpshooters along the fences, withdrew the main body of his men, within a large stone store or house on the right of the entrance of the village."

Let us now return to Colonel Gore's report, omitting only some unimportant passages.

"On approaching St. Denis, a strong body of armed men (the sharpshooters above alluded to) moving along a wood, skirted my flank; all the houses along the road were deserted, and on nearing St. Denis, I was attacked by skirmishers occupying the houses and barns on the road, and along the banks of the river Richelieu; these were rapidly driven in by Captain Markham to the main entrance. I found the place was strongly occupied, and the entrance defended by a large fortified stone house, and a barricade crossing the road, and flanked by a building and houses, from which a severe fire was commenced."

The advance was then reinforced, and a fire from the gun opened upon the house; but after the day had considerably advanced, and sixty round shots had been fired without effect, six only being left; when Captain Markham had become wounded in three places, and the men much jaded; when it became evident that the ground could hardly have been maintained during the night, and there appeared some risk that the bridge in the rear might be broken down; when frost having succeeded the rain and snow, the mens' clothes were freezing on them, Colonel Gore determined to fall back, which was accordingly done, but not without considerable annoyance from the pursuing enemy. At the bridge, Colonel Gore states, they were compelled to abandon their gun. The horses had fallen, the wheels had frozen in the mud, the men were worn out, and in danger of freezing also, so that no other course was left to the Colonel than to spike the gun and leave it. On the following morning at 11 o'clock, the troops reached Sorel, and on the ensuing day arrived at Montreal, having lost, according to a statement annexed to his report, 1 sergeant, 5 rank and file killed; 1 captain, 9 rank and file wounded; 6 rank and file missing. His estimate of the force opposed to him is 1500, of whom he calculates 100 must have been killed.* The account from which we have already quoted differs from that of Colonel Gore with regard to the numbers engaged, and to the loss on both sides. In other respects, there is a general agreement in the two accounts, whilst the discrepancies are unimportant.

"The advanced picket of the troops," says the narrator, "was

* Par. paper, No. 80, pp. 4, 5.

allowed to pass unmolested, but when the main body came up, a round of fire was sent in upon them from the house which made them stagger. This battle between the peasantry and the troops continued from nine in the morning till half-past three in the afternoon with unabated rage, and so desperate was the contest, that a piece of artillery belonging to the troops, was five different times in possession of the adverse parties; it finally remained in the hands of the Canadians.* Between three and four o'clock, the regular troops found themselves obliged to retire from the field. One of the officers, Captain Markham, had received four wounds. Their loss was estimated at 50 killed and about 16 wounded. The precise number cannot be ascertained, as it was said a party of soldiers was employed in throwing their dead into the river. The loss on the Canadian side was eight killed."

With regard to the statements of killed, it should be observed, that both parties would naturally be desirous of hiding their own disasters. False returns of killed and wounded form, we believe, part of the modern and perhaps also of the ancient system of warfare. Napoleon has been accused of having invented it, but we cannot help thinking it is coeval with the existence of falsehood, and it is certain that the English have not disdained to adopt it. Colonel Gore's force was exposed, for more than six hours, to the fire of a large body of men rendered cool by that feeling of security which stone walls imparted. Under such circumstances, it is difficult to believe that his loss was only six men killed. Again, the peasantry being screened by stone walls which resisted the round shot, and by the barricade, it is equally difficult to believe that they lost 100, though they may have lost more than eight. The official account of 16 wounded and missing, agrees well enough with the other account of 15 or 16 wounded, for some of the missing were wounded, and were afterwards recovered. Being correct in one respect, it is fair to presume that the narrator was not far wrong in the other, the more especially as an officer of bravery and reputation, as we hear Colonel Gore is, would scarcely have retreated on so small a loss. On the other hand, it is probable that more than eight of the peasantry were killed; the struggle for the gun must have been attended with some loss. Probably the numbers on either side did not greatly differ; but judging from the character of the struggle, from the position of the parties engaged, and lastly, from the retreat of the troops, it is probable the balance of loss was against the latter.

Amongst the slain on the side of the Canadians was one whom his countrymen will long deplore, namely, M. Ch.-Ovide Perrault, member for the county of Vaudreuil. He was one of those who left the city after the first arrests, though his name

* We have been informed by a gentleman lately in Canada, that the Canadians actually fought for this gun with bludgeons, many not having fire arms.

does not appear in the list of 26 appended to the attorney-general's report* of the 18th of November.

M. Perrault, who was not above 27 years of age when he fell, was a member of the Montreal bar, having studied the law under Mr. D. B. Viger, some time delegate from the Assembly of Lower Canada to this country. His practice latterly was considerable and increasing, an advantage which he owed to his knowledge, his eloquence, and his accurate acquaintance with the English as well as his own language—a qualification of no small use in a country where the criminal law is English; the civil law, French; and the commercial law a mixture of both; where juries are composed of men of either origin, and where the court interpreters are especially ignorant.†

For some years previous to his election as a member of the Assembly, M. Perrault had taken an active part in politics. He wrote in the *Minerve*, in the French language, and in the *Vindicator* in English; and was an active member of the Montreal Convention assembled in 1834, one of the chief objects of which seems to have been to prepare the public mind for the coming elections, by explaining, by means of published resolutions, the principles of the contest.

When the general election took place, M. Perrault was invited to represent the county of Vandreuil, and as the contest hinged on the elective principle, the application of which to the council he had rendered himself conspicuous in advocating, he was returned without difficulty.

In the Assembly, during the long session of 1835, he fully justified the choice of his constituents. He proved himself as ready in debate as he was laborious in committee; and being well acquainted with, being in fact a warm admirer of our great jurisprudential writers, our Bentham's, and our Austins, he would, had he lived, have advanced his character as a philosophical legislator. In a young country like Canada, the death of such a man is a public loss.

In all the social relations, M. Perrault exhibited those qualities which entitled him to the regard of his fellow citizens, to the affection of his friends. Generous in his sympathies, enlarged in his benevolences, imbued with a strong sense of religion, yet without a tinge of bigotry, tolerant of the opinions of others, he possessed a truly liberal mind. The beautiful language of Tacitus is especially suited to the mournful aspirations of his friends. "Si quis piorum manibus locus; si, ut sapientibus

* Par. paper, No. 72, p. 100.

† At a trial for infanticide, a medical gentleman was examined. He stated that he practised as an accoucheur, the interpreter said, "Monsieur dit qu'il est sage feme."—the gentleman says he is a *midwife*, as the gentleman was one of that class, who are not unfrequently designated as "old women," the gravity and decorum of the court was somewhat disturbed by the mistake

placet, non cum corpore extinguuntur, magnæ animæ, placidè quiescas.*" Of his death, the writer already quoted, who was his personal friend, thus speaks: "With that ardour in favour of his insulted country, for which he has been ever remarkable, ever honoured, he threw himself, on the morning of the 23rd, among his compatriots, and acted as aide-de-camp to Mr. —; in conveying some orders to a body of men at the other side of the street, he received a ball in his body over the hip. He lingered till the next morning when he expired, having been greatly comforted with the news that the patriots were masters of the field."

Of Dr. Wolfred Nelson, who is stated in the Montreal newspaper to have led the peasantry at St. Denis, a few words will not here be out of place.

He is the son of an English gentleman who kept a school of some note in Canada, and is one of a large family, all of whom occupy a good station in society. His brother, Dr. Robert Nelson, is Mr. Papineau's colleague in the representation of the west ward of Montreal, and enjoys the highest reputation as a medical practitioner in that city; indeed, so completely is his skill acknowledged, that other practitioners opposed to him in politics repeatedly seek his aid in consultations; a remarkable tribute to talent in a colony where party feelings vitiate every branch of social intercourse.

Dr. Wolfred Nelson is about forty-four years of age, and is a man of considerable talent and unusual energy. He enjoys a good practice, beside which he has established a distillery and other works at St. Denis, which occupy a portion of his time.

He sat in the Assembly, from 1827 till 1829, for the "royal" borough of William Henry (Sorel), having contested it with the attorney-general Stuart. This borough had been represented by three attorney-generals in succession, Sewell, Bowen, and Uniacke; and Dr. Nelson's success against the fourth was a great triumph to the liberal party.

In the Assembly, he acted zealously with the majority, and has since enjoyed the confidence of his compatriots. At all public meetings on great occasions, he has taken a prominent part, and his joining in the determination to resist the arrest of his friends is consistent with his general character.

Before we close our account of the affair of St. Denis, it is necessary that we should advert to a transaction of a melancholy hue connected therewith, concerning which, the accounts are of a conflicting nature. We allude to the death of a young officer of the 32nd regiment named Weir; an event, which from the manner in which it has been related, has created very considerable

* "If for the spirits of the just a place be assigned; if, as it pleaseth the wise to believe, great souls perish not with the body, mayest thou rest in peace."

sensation among those who have given attention to the several details of the insurrection.

Lieutenant Weir was attached to Colonel Gore's force, but, strange to say, he is not in any way mentioned in the despatch of that officer detailing the result of his attack on St. Denis.

The first mention of the unfortunate young officer is in Sir John Colborne's despatch of the 30th of November, where it is stated that he had been sent with despatches to Colonel Wetherall, that he had been taken prisoner when returning, and that it was feared had been put to death.* The next account is from a newspaper to the effect, that he had been barbarously murdered while a prisoner, by two men who had been appointed to convey him from St. Denis to St. Charles, when the attack on the former place commenced. The circumstances attending his being a prisoner are nowhere mentioned in the official accounts or in the papers, but in most of the Montreal papers, and in many of those of New York and London, appeared a detailed statement of his alleged murder.

We are by no means disposed to inflict upon our readers the revolting details which are given with the minuteness of an eye-witness; suffice it to say, that the sum of the statement is to the effect, that one of the men in charge made him get out of the cart in which they were conveying him; that both then attacked him, the one with a sword, and the other with an axe; and that in this way he was literally butchered. Every revolting circumstance is detailed. The position of the cart, the number and effect of the blows, the writhing of the ill-fated victim, and the final catastrophe. In a word, it is a highly-wrought picture, whether true or false. That it is false, let us, for the sake of humanity, hope; indeed, even without any testimony to set it aside, we think it is not difficult to show that the details could not by possibility have been made known, and therefore to suppose them true is to suppose a miracle.

The account, be it observed, is a detailed one; minute in the extreme, such, indeed, as could not have been given, except by an eye-witness or an inventor. Where was the eye-witness? It was not pretended that there was one. It was on the contrary distinctly stated, that the men were only two, and that neither had been taken. If then, of the only three witnesses, two were not to be found, and one was dead, how could such details appear? The reader may decide the question.

Having thus shown that the newspaper accounts *cannot* be true, we shall offer another, which certainly appears to be more probable. It was furnished us from a private and authentic source; nevertheless, we recommend the reader to examine its intrinsic claim to probability, and to take it on its own merits.

* Par. paper, No. 80, p. 8.

"At the period of Colonel Gore's expedition, the troops were about two leagues from St. Denis, having taken the Concessions road, when, at about five or six in the morning, Dr. Nelson heard of their approach. About the same time, Lieutenant Weir was brought in by some *habitans* who had stopped Mr. Weir's conveyance at a short distance from the village. Weir, who *was then in plain clothes*, stated, that he was visiting St. Denis and St. Charles, in order to purchase wheat. The *habitans* replied, that this was not the time when the merchants usually purchased wheat, and that they believed he belonged to the troops which were in full march against them. This he denied, and the *habitans* then carried him before Dr. Nelson. Weir again repeated the same story, but the language he used, raised Dr. Nelson's suspicions, and on examining his baggage, it was discovered who he was. At length, Weir avowed himself, demanded his liberty, and stated that he would pay any sum as ransom. This, Dr. Nelson of course refused, but stated, that although he had been taken as a spy, he should, nevertheless, be treated as a gentleman; at the same time, he was told to consider himself a prisoner. Weir, then, breakfasted with Dr. Nelson, and was afterwards placed under the charge of some persons in a room in the house.

"When the troops approached the village, and the firing commenced, Mr. Weir's guards appear to have thought, that if they remained there, the prisoner would not be secure; they accordingly, in the absence of Dr. Nelson, determined to transport him further in a *calèche*.* They tied his hands, but so feebly, that Weir, when the *calèche* had advanced only a few hundred yards from the house, on hearing the firing, broke his bonds, struck his guards, leapt suddenly from the chaise, and commenced running in the direction of the troops. It was then that one of his guards called upon him to return, and Weir continuing his course, he was at once fired upon. That shot was the cause of his death. A Captain Jarlbart is accused of having barbarously murdered him; he was not even present at his death."

This account is much more consistent with the treatment of other prisoners whom the fortune of the contest placed in the hands of the people of St. Denis. On Colonel Gore's retreat, it will be recollected, there were five soldiers missing. These were wounded, and remained with the insurgents. On his second expedition they were recovered, and Colonel Gore reported *that they had been well treated*.† Under these circumstances, we cannot help indulging ourselves with the hope that when the matter comes to be investigated, as it will shortly be, Lieutenant Weir's death will be found to have been such as not to revolt

* A kind of cabriolet.

† See Lord Gosford's despatch of 6th December, 1837; Par. paper, No. 80, p. 14.

humanity; at least, not to a greater extent than the ordinary chance of war ought to do.

We must now return to Lieutenant-colonel Wetherall, whom we left at Chambly, under orders to march upon St. Charles at the same time that Colonel Gore marched upon St. Denis.

On Wednesday evening, at the time appointed, he left Chambly with four companies of the royals, one company of the 66th, a detachment of artillery with two field pieces, and a party of 20 of the Montreal cavalry, crossed the river to the east bank, and resumed his march towards St. Charles. By the time Colonel Gore had reached St. Denis, Colonel Wetherall had scarcely reached Rouville or St. Hilaire, a distance of about ten miles; the delay being caused, according to a Montreal paper, by the miserable state of the roads.

At St. Hilaire, Colonel Wetherall halted for about forty-eight hours. Here, we must observe, that there are some unexplained circumstances which force us into the field of conjecture, which render it necessary that we should demand the reader's careful attention to certain pieces of evidence, and especially to dates, by which we hope to throw a strong ray of light upon the whole matter.

Colonel Wetherall's first two despatches, dated the 25th and 26th of November, and referred to in his published despatch of the 27th,* have, for some unexplained reason, been suppressed. The first, dated from St. Hilaire, explains the cause of his delay; the second, is the report of his attack on St. Charles. In the absence of these despatches, we are compelled to make use of the evidence of a Montreal paper, strongly opposed to the Canadians. Fortunately, however, we have the means of confronting one piece of evidence with another; and in the end, we doubt not that the truth will be sifted out.

The paper in question tells us, that on arriving at St. Hilaire, "after encountering the worst of weather and roads during the night, and the forenoon of Thursday," the troops "found a bridge of considerable size removed, and were forced to bivouac there for the night."

"The next day," continues the same paper, "appears to have been spent in getting up a new bridge, refreshing the troops, and obtaining information. Major Warde, with the grenadier company of the Royals from St. Johns, also joined the main body, we believe, during that day.† Major Warde had reached Chambly too late to join in the march, and had thereupon taken the precaution to procure scows and bateaux for the conveyance of his company down the river to Rouville (St. Hilaire), by which means they arrived at that place fresh, and well prepared for service."

* See Par. paper, 15th Jan. 1838, No. 80, p. 6.

† This increased Colonel Wetherall's force to about five hundred men.

We must now crave the reader's attention to Colonel Wetherall's despatch of the 27th of November (Monday), written at St. Charles. It seems to be a mere recapitulation of the two suppressed documents, and runs as follows :

"I had the honour yesterday, (Sunday, 26th), to report the successful result of my attack on the stockaded post of the rebels, at this place.

"In my letter of the 25th of November, (Saturday), I stated the circumstances which induced me to suspend my march towards St. Charles, *and to order a company from Chambly to my support*, and I then said that I should wait at St. Hilaire, for his Excellency's further orders : this despatch was sent by Dr. Jones of the Montreal cavalry, and I hoped for his Excellency's answer during the following night. Not having received it at nine o'clock yesterday (Sunday) morning, I concluded that my messenger had been interrupted, and having learned that the basin at Chambly was frozen over, and every probability of a retreat being cut off, should such an event occur, I resolved on the attack.

"The march was accomplished without opposition or hindrance, except from the breaking down of the bridges, &c. &c., until I arrived one mile from this place, when the troops were fired at from the left or opposite (west) bank of the Richelieu, and a man of the royal regiment wounded ; several rifle shots were also fired from a barn immediately in our front. I burnt the barn.

"On arriving at two hundred and fifty yards from the rebel works, I took up a position, hoping that a display of my force would induce some defection among these infatuated people ; they, however, opened a heavy fire, which was returned. I then advanced to another position, one hundred yards from the works, but finding the defenders obstinate, I stormed and carried them, burning every building within the stockade, except that of the honourable Mr. Debartzch, which, however, is much injured. The loss on the side of the rebels was great ; only sixteen prisoners were then made. I have counted fifty-six bodies, and many more were killed in the buildings, and their bodies burnt.

"I shall occupy this village until the receipt of his Excellency's orders."

The loss on the part of the troops is stated to have been three killed, and eighteen wounded.

The next day (the 28th) we find Colonel Wetherall at Chambly, having abandoned his intention of occupying St. Charles. "Having received information on Sunday night" (the night *before* he had expressed the above determination) that "a considerable body of the rebels had assembled at Pointe Oliviere," he "resolved upon attacking them in preference to marching on St. Denis." This is the first mention made of marching on St. Denis. It could have been the intention only up to Sunday

night, for at that time he formed the resolution to attack the rebels at Pointe Oliviere; on Monday we find him stating that he shall occupy St. Charles until the receipt of orders; and on Tuesday, we find him at Chambly, after having dispersed the armed peasantry at Pointe Oliviere. These apparent inconsistencies—this seeming vacillation would, we doubt not, be clearly explained by the suppressed despatches, so also would the delay at St. Hilaire. Not having those despatches, however, we must content ourselves by carefully examining the evidence before us; and here we think we shall find a fact stated in the following passage from the letter which we have already quoted, of material service.

"Immediately after the battle of St. Charles," says the writer, "Colonel Wetherall sent forward an express to Montreal, demanding a reinforcement from Sir John Colborne. The messenger bearing Sir John's answer (one of the cavalry) was intercepted at St. Hilaire, and made prisoner by a body of men, who had assembled and threatened the Colonel's rear. The letter was opened, and Sir John Colborne told Colonel Wetherall that no assistance could be given him, and that he should make the best of his way back to Montreal. In pursuance of these instructions (which the patriots politely communicated to the Colonel, after they had read them) the body of troops under his command immediately retreated on Chambly, harassed on their flank by some straggling skirmishers. From Chambly, they proceeded to St. Johns, and to the number of 600, including the soldiers in garrison at Chambly and St. Johns, embarked on the railroad, carrying with them all the stores at those two posts, having, previous to their departure, disarmed all the loyalists, into whose hands they had previously placed arms, as volunteers."

The answer intercepted by the insurgents was doubtless that which Colonel Wetherall so anxiously waited at St. Hilaire, in fact he expected none other; and as we learn from it that he had demanded a reinforcement; and as, moreover, we know that he ordered Major Warde's company from St. Johns, the inevitable inference is, that, while at St. Hilaire, he had heard of Colonel Gore's disaster, and this is doubtless the chief of the "circumstances which induced him to suspend his march," stated in his letter of the 27th, as having been detailed in that of the 25th, from St. Hilaire. This supposition ripens into conviction, when it is remarked that the answer was intercepted at St. Hilaire. St. Hilaire is not in the road from Montreal to St. Charles; and the fact of the messenger being arrested there, is a proof that he expected to find Colonel Wetherall in that village. The letter-writer, in saying that Colonel Wetherall applied for a reinforcement *after* the battle, makes a hasty assumption. We have no evidence of anything of the kind *after* the battle. A reinforcement was not then wanted. At St. Hilaire, on the

contrary, we have evidence that he did want a reinforcement, and that it was for that purpose alone that he suspended his march. The subsequent transmission of the intercepted letter to Colonel Wetherall, also explains his sudden change of mind on the night of the 27th, or the morning of the 28th.

Sir John Colborne's refusal of a reinforcement is also susceptible of an explanation, perfectly consistent with Sir John's character as an able soldier.

Colonel Gore returned to Montreal on the 25th, the day on which Colonel Wetherall wrote. Having been decidedly defeated, Colonel Gore certainly would not undervalue his enemy. This created a great degree of gloom in Montreal, which was not dissipated until the news of the burning of St. Charles reached the city on Monday morning, (the 27th,) or perhaps on Sunday night.* On the Saturday, the talk had been of an attack upon the city from the north, and all the streets on that side, with the exception of one (or two) for the purpose of ingress and egress, were barricaded. Under this state of doubt and alarm, it is not at all surprising, that Sir John Colborne not merely refused a reinforcement, but ordered Colonel Wetherall to make the best of his way back with his whole force to the city. We have not a doubt but that our conjectures on this head would be abundantly confirmed were the suppressed despatches published.

There is a conclusion, and a curious one, which remains to be stated; namely, that had Sir John's answer reached Colonel Wetherall, as he expected, at St. Hilaire, the attack upon St. Charles would never have been made. Colonel Wetherall would have immediately obeyed the order it contained, with the same promptitude which he afterwards exhibited on the final receipt of the answer. The whole character of the war would have been changed. The country would have been evacuated without a single success, and the Canadians would have been emboldened in their subsequent operations; in short, it is quite impossible to foresee to what result it might not have led. Thus to a mere accident, is the local government of Canada indebted for the suppression of the insurrection in the section of country watered by the Richelieu.

The account from which we have already quoted, contains some curious and interesting particulars of the attack upon St. Charles, which are not to be found elsewhere. As in the case of St. Denis, the only material discrepancy between the official and the non-official accounts, relates to the loss on either side. The armed force of the insurgents is not stated by Colonel Wetherall.

"This post" (St. Charles) says the writer, "was defended by about 300 Canadians who had guns. There were a large number of men *without arms*, on the ground, who had been employed

* It appeared in the papers of Monday as a report.

during the two preceding days, as workmen, in hurrying on the completion of the stockade, or rude line of fortifications, hastily traced by Mr. ———.* These men were not merely of no assistance—they did but create confusion during the fight. You will remember that the right of this stockade was composed of three or four barns, in which was stored a quantity of grain and hay. The *habitans*, who had gone to work, had lodged about fifty or sixty of their horses, unfortunately, in some of these out-houses. When the troops first commenced the attack, they were received with such a hot fire, that they were obliged to abandon or change their ground. The hottest of the fire was from the barns, where the Canadians, from loop-holes previously cut, bore upon the troops in a most galling manner. The troops immediately threw shells into the barns, and set them on fire. This was totally unexpected. Immediately, in consequence of the inflammable nature of their contents, the barns were in one blaze; the horses within broke loose and ran mad through the camp. The unarmed peasantry fled likewise, and in a short time all was confusion. The fight lasted about an hour and a half. Colonel Wetherall had his horse shot under him; so had Mr. David (a Jew,) commanding the cavalry. The loss of the patriots did not exceed 28 killed (Colonel Wetherall said 56); the troops had 15 killed and 16 wounded. The Tory papers of Montreal, who receive their information from the official circles, admit that the Canadians fought with uncommon desperation; † indeed, some of

* T. S. Browne. We throw into the form of a note the few facts in our possession respecting Mr. Browne. He was born in New Brunswick, but his father, a man of respectability, removed to Woodstock, in the State of Vermont, when the subject of this note was young: thus, though by birth a British subject, he is by education—by early habit—an American. For many years he carried on the business of a hardware merchant (*Anglicé*, a wholesale ironmonger), and latterly was in difficulties, but not to the extent of bankruptcy. Mr. Browne is a man of considerable energy; and for some years previous to the late unfortunate occurrence, had taken an active part in politics. He wrote constantly in the newspapers, and occasionally produced political poems of considerable merit.

When the cholera broke out in 1834, (the second visitation,) Mr. Browne was one of the sanitary committee, and did much to alleviate the sufferings occasioned thereby. A report, which was then drawn up on the subject, we have heard attributed to him; those who are curious on the subject will find it reprinted in one of the numbers of the Canadian Portfolio.

Browne was one of the Sons of Liberty, and we learn from the official despatches, that he was badly wounded on the 6th of Nov. His part in the affairs of St. Charles, the reader is already acquainted with. On the evidence before us, he appears to have acted somewhat rashly, but as all the evidence is that of his opponents, we should not judge too hastily. After the battle, he escaped into the United States with considerable difficulty: an account of this escape has appeared in the New York papers; we shall make use of this account in Chapter iv.

† One paper said "the Canadians fought like tigers;" adding, in confirmation of the text, "many of them plunging into the river and drowning themselves, rather than be taken." Another says, "the poor deluded

the people, sooner than fall into the hands of the enemy as prisoners, flung themselves into the river, whereby many were drowned."

On the last day of November, the troops under Colonel Wetherall reached Montreal with thirty-two prisoners, twenty-five from St. Charles, and the seven previously captured. Among these prisoners it should be remarked, were none of those whose capture was the express object * of the expedition, and whom the peasantry had risen to defend. The people were dispersed; but they had only risen in consequence of the threatened presence of the troops. Theirs appears to have been a defensive warfare, and their great error certainly was in making a stand against the troops at all. At St. Denis it happened to be successful; at St. Charles it failed; but then Dr. Nelson is a man of great mental vigour, and Mr. Browne appears not to have acted with much less judgment; however, had Colonel Gore's force been equal to that of Colonel Wetherall—with two guns, be it observed—St. Denis might have fallen. Had the operations of the insurgents been of an offensive, instead of a defensive character, it would not have been difficult for them to have seized upon Isle-aux-Noix, St. Johns, Chambly, Sorel, and the intermediate villages. That they neglected to do so when those stations were scarcely defended, is a proof that they had no preconcerted plan. To a set of men contemplating rebellion in a country such as we have described, the possession of the above places, with the arms and ammunition, but, above all, with the artillery they contained, would naturally have been a primary object. The very first outbreak would have been an attempt upon one of these forts. The possession of one would have proved the key to the whole; and when all were occupied, that section of the country might have been deemed theirs.

On the return of the troops to Montreal, it is painful to state that ample evidence is said to have been exhibited that the village had been plundered. Watches and other portables of value were exposed for sale without disguise, and the amount of plunder which fell to the share of some of the men is said to have been considerable. The French Canadians are in the habit of keeping money in their houses. Being a simple agricultural people, and not familiar with the habits of a commercial community, they have, what we should consider a strange and unaccountable prejudice, against paper money; hence a paper dollar is no sooner taken than it is exchanged for "*argent dur*"—hard money—and deposited in the hoard, to be used only for such purposes as money will alone attain.

wretches fought with a degree of bravery worthy of a better cause." It is necessary to mention this, as it has been stated on high authority that the *Canadians would not fight*—an error which we fear may have operated injuriously on her Majesty's councils in the management of the colony.

* See Sir John Colborne's despatch of the 29th November, already quoted

The poor people of St. Charles had no time to secure their hard-earned savings, as "the attack occupied about one hour"* only. It is due to the magistrates who accompanied the troops to say, that they exerted themselves to the utmost to save the property of the unfortunate inhabitants from plunder, and their persons from insult. In some cases they succeeded. In a house wherein one of the magistrates † had taken up his residence, the most revolting scene would have taken place but for his humane interference; but the fact of interference being necessary in one case, affords melancholy evidence that many circumstances of barbarity must have occurred out of the cognizance of the magistrates and the deputy sheriff, who we believe was also present, and being a native Canadian would of course do all in his power to avert the evils to which we are compelled to allude. What could three men do, against an unrestrained body of five hundred?

We have now brought to a close our narrative of the military operations in Lower Canada down to the end of November last. The events not of a military character, which in the mean time took place, and the measures adopted by the local government to secure tranquillity, or to strengthen their own position, will be detailed in the following chapter.

* Col. Wetherall's despatch of 27th Nov. † Mr. Bellingham.

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CHAPTER III.

EXECUTIVE EXPEDIENTS.—MARTIAL LAW.

Arming the Volunteers—State of Montreal in November—A Monitory Proclamation—How received by the Anti-popular party—Probable effect on the Liberals—Magistrates' Address—The Rewards—The Charges—Proposal to call the Assembly together—Rejected—Proceedings preliminary to proclaiming Martial Law—The Proclamation—Lord Gosford's Resignation.

THE last chapter was exclusively devoted to the detail of the combined military movements upon St. Denis and St. Charles, and to such of the events connected therewith as were confined to that locality. The time occupied, it will be remembered, was the last week of the month of November.

In the present chapter, we shall describe the various measures which the local government at the same time adopted, for the purpose of strengthening its own position, so as to enable it the more effectually to prevent any further outbreak; or in the event of such an occurrence, to put it speedily down. We have reserved the narrative of these measures for a separate chapter, in order to avoid breaking in upon the story told in the last.

The formation of volunteer corps in Montreal we have already alluded to,* but, to render the history complete, it is necessary that we should carry our narrative somewhat back. As early as December, 1835, that portion of the population opposed to the views of the Assembly had evinced a strong desire to obtain arms and accoutrements from the government. Application had been then made by a body of young men of the "constitutionalist" party to be formed into a rifle corps; but Lord Gosford perceiving, in all probability, that the granting of such a request would be nothing more nor less than arming one portion of the population against another, very properly as it seems, refused the request.

In the month of September last, an application of a similar character was made by more than 300 inhabitants of the city of Quebec. This application was refused on the 7th of October, and Lord Gosford, writing to Lord Glenelg, on the 12th of the same month, states his motives for so refusing, in the following words:—

"I still thought it prudent to decline, at the present, proposals that could not have been accepted without incurring the risk of applications of the same nature from other quarters, which it

* Chapter i. p. 11.

might have been dangerous to grant, but difficult to refuse, had this been entertained; nor without giving rise, both in the province or elsewhere, to inferences that the strength and progress of the agitators are greater than they really are, and that the local executive was in a state of alarm, inferences which it is one of the great objects of the movement party to create, and to disseminate as widely as possible *."

We can find no official documents among the parliamentary papers on Canada, recently published, showing at what precise time Lord Gosford's scruples were overcome. The cavalry employed in the middle of November, as "mounted police," or "special constables," had been for many years in existence as we have already stated. The first mention we find of arming the party opposed to the Assembly was about the time that it was determined to employ military force in making the arrests. From that time, the arming of the constitutionalists went on rapidly, so much so, that, on the 27th of November, the *Montreal Courier*, one of the papers of that party, was enabled to announce as follows:—

"The four volunteer battalions muster considerably above 2000 men. All are now armed and officered, and a large proportion of the companies have gone through some little drilling. By the time the river closes, they will make a pretty garrison."

For the purpose of arming these volunteer corps, 6000 stand of arms had been transmitted to Montreal from the armoury at Quebec.

On the 24th of November, Sir John Colborne, in a letter to Lord Gosford, communicating Colonel Gore's defeat, expresses himself as follows:

"The civil war has now commenced, and I intreat your lordship to form volunteer corps at Quebec, and to raise a corps for general service."

In compliance with this request, Lord Gosford immediately sanctioned the "embodying, and paying as troops of the line, 800 men, for the purpose of assisting until the 1st of May next, in the performance of garrison and other military duties, and as required for the security of the fortress in case of attack."

The principal conditions between the government and the corps were, that they should be furnished with arms and accoutrements by the government, and that such of the men as might be found to require them, should be furnished with great coats, to

* Par. paper, No. 72, p. 65.

† From the same paper, we learn that, at the funeral of Lieutenant Weir, 7th Dec., 1837, "A military gentleman stood at the Quebec gate, as the procession passed, and counted 3154 men under arms, exclusive of officers; of these very few, comparatively, were regulars, owing to the absence of the greater part on duty out of town."

be delivered up or accounted for, when the corps should be disbanded.

That the officers should be appointed by the governor-in-chief, that they should rank junior to all officers of their respective grades in the line, and that none should be considered as having any claim to half-pay or other allowance in right of their commissions, after the corps shall have been disbanded.

That the men should be between nineteen and fifty; five feet three inches and upwards in height, and subject to approval by the governor. Finally, that the pay and rations should be the same as those allowed to her majesty's regiments of the line.*

"On similar conditions," says Lord Gosford in his despatch of the 30th November, † an additional number of 250 for the artillery service, have, on the application of the officer commanding that force, and on recommendation of the commandant of the garrison, been also organized. I have further sanctioned the formation of volunteer corps in this city and elsewhere, furnishing them only with arms and accoutrements, which are to be returned when the occasion for which they are supplied shall have ceased to exist. These measures, in which Sir John Colborne has concurred, were the more necessary, as troops from the Lower Provinces might not, at this particular period of the year, be enabled to come to our assistance for some time, although three expresses have been furnished by Sir John, to urge their making the attempt, and by the existing law, the militia of the province can, I believe, be called out only in case of war with the United States, or invasion, or imminent danger thereof."

The result of these measures was, that by the 12th of December, the day previous to the marching of the troops upon St. Benoit and St. Eustache—an expedition which will be found described in a subsequent chapter—the armed volunteers throughout the province were as follows:—

Cavalry	257
Artillery	72
Infantry	8573
<hr/>	
Total ‡	8902

We have already mentioned, § that after the defeat of Colonel Gore at St. Denis, a considerable degree of alarm, amounting to something very like panic, exhibited itself at Montreal.

It should now be mentioned that Montreal, though not the capital, is the commercial metropolis of the Canadas. It is situ-

* See these conditions given at length in Par. paper, No. 80, p. 11.

† *Ibid.* p. 9.

‡ The regular troops exceeded 4000, making in all about 13,000 men at Sir John Colborne's disposal.

§ *Vide*, Chap. ii. p. 33.

ated on an island of the same name, formed by the mouths of the Ottawa, or Grand River. Isle Jesus lying north, and Isle Perrot, a smaller island, on the west. It is the head of the ship navigation of the St. Lawrence, the broken waters of La Chine rapid being immediately above it. Its precise position will best be learned from the Map.

At the census of 1831, the cities of Quebec (the capital) and Montreal, were about equal in population, but the rate of increase being greater in the latter than in the former, and several circumstances having occurred to move a portion of the trade formerly enjoyed by Quebec to Montreal, the growth of the latter city has received a further impetus, and it is now computed to contain about 40,000 inhabitants.

Formerly Montreal was fortified, but no vestiges of the defences now remain, the citadel hill having been levelled a few years since to make way for some handsome private residences. The town within the ancient limits is small, but it is surrounded by extensive suburbs, containing the great mass of the population. These suburbs are the Quebec on the north-east (down the river); the St. Louis on the north; the St. Lawrence on the north and north-west; the St. Antoine on the west; and the Recollet suburbs, and Griffintown on the south-west and south (up the river); of these, Griffintown contains the business quarter towards the mouth of the La Chine canal, whilst the St. Lawrence suburbs open a communication with the back of the Island, and the country lying north-west of the city.

The Island is generally level, but immediately behind the city, and commanding it, is an isolated mountain from which the Island and city take their name. A few pieces of artillery and mortars in this hill (for although called *the mountain*,* it is no more) might destroy Montreal. It is from this quarter that the town is especially assailable, numerous streets running in parallel lines towards the mountain, and communicating with high roads towards the country where the insurgents were said to be in force. When the news of the defeat arrived, it was apprehended, that a descent might be made on the city. The mass of the population were known to be favourable to the politics of the Assembly, and it was therefore concluded, that the appearance of a force on the northern side of the city would be a signal for a general rising. This probably accelerated the arming of the volunteers, and it certainly led to the barricading of the streets of the St. Lawrence suburbs. There is only one thing against the reasonableness of the expectation of a rising, namely, that the Canadians of the cities do not often possess arms. Such a rising might nevertheless have taken place, but it would

* It is so called, though erroneously, from the word *Montagne*; what we mean by the word mountain, the French express by the word, *mont*.

certainly have led to a frightful slaughter at the hands of the armed volunteers, who, as we shall hereafter see,* are not to be restrained when let loose upon their political opponents.

At this time, as we are informed, Montreal presented a curious appearance. Armed men appeared in every corner of the streets. A gun or a sword was the evidence of attachment to the existing order of things; or to speak in Colonial parlance of "loyalty;" whilst to walk about unarmed, was taken as strong presumption of disaffection. An English gentleman, who of course, wanted all motive to the amusement of Canadian rebel shooting, has described to us his position at that time as being sufficiently painful. As he walked along the streets, armed men scowled suspiciously at him; he was constantly *talked at* as he passed along, by knots of lounging striplings, and once was howled at by a "loyal" mob. All this should not be wondered at,—it was the result of alarm. All who were not with them they deemed to be against them, and the partizanship of a native Englishman, they looked upon as their right, in return for what they religiously believed to be their loyalty. In order to account for this state of the public mind, it should be here observed, that the most exaggerated rumours were brought to Montreal, and perhaps even generated there, respecting the numbers, character, and proceedings of the insurgents. It was at one time stated that 4000 men were in arms at St. Charles. Colonel Gore stated that 3000 were reported to be at St. Denis, though he himself did not believe there were 1500, the fact being, that he was assailed by just so many armed men, as could occupy the windows of the houses, near his point of attack. Again, 2000 men were stated to be at Grand Brulé. The armed men at the rescue, stated ultimately at 60 men, were at first said to be 300; indeed, whenever armed men appeared, they were counted by the hundred, and sometimes by the thousand. The accounts which appeared in the Vermont papers also bore the same exaggerated character. It is unnecessary to remind the reader, that having the benefit of time and distance, we have been enabled to build our narrative on more authentic statements; but in accounting for the state of alarm, which prevailed during the latter half of November, and the first half of December, we must not leave these reports out of calculation, and we may further assume that they had their effect on the minds of the civil and military authorities, as we have seen in one case detailed in the last chapter.

In the midst of the military operations, the executive did not wholly neglect to address itself to public opinion. On the 29th of November, Lord Gosford issued, what in a subsequent despatch is called "a monitory proclamation." This document, after attributing the "blind and fatal excitement," to the "machinations of evil designing men," which had at length succeeded in implicat-

* Chapter v.

ing a part of a *hitherto peaceable and loyal population* in the first excesses of a rockless and hopeless revolt," continues as follows:—

"As the representative of our most gracious sovereign, I now most solemnly address myself to the inhabitants of this province, but more especially to the misguided and inconsiderate population on the river Richelieu, in the district of Montreal. I address myself to your good sense and your personal experience of the benefits you have received, and of the tranquillity you have so long enjoyed under the British government. You possess the religion, the language, the laws, and the institutions, guaranteed to you nearly seventy years since. You know not the burthen of taxes; the expense of your military defence is defrayed by Great Britain; the prosperity and happiness which have hitherto pervaded this province, proclaim honourably and undeniably the political wisdom which watches over your safety, encourages your commerce, and fosters your rising industry. The spontaneous confidence of the British Parliament bestowed on you a constitution; your representatives complained of grievances—their complaints were promptly and fully investigated; grievances when proved to exist were removed at once; redress, the most ample, but unavoidably, gradual, was unreservedly promised; and up to this moment that promise has been scrupulously observed; but the demands of your leaders are insatiable—the language of reform has speciously concealed the designs of revolution.

"I have thus far deemed it my duty to explain the injustice and inadmissibility of the objects for which your leaders contend, and for the attainment of which they would wantonly sacrifice you and your families. The *traitorous designs* of these political agitators have been at length unmasked; I now, therefore, call upon those who have been thus far deluded, to listen to the language of reason, sincerity, and truth—listen to the language of your respectable and trustworthy clergy—listen to the representations of those worthy and loyal proprietors, whose interests are identified with your own; and whose prosperity, in common with yours, must ever be graduated and governed by the internal tranquillity of this province. Return to that allegiance to your sovereign, which you have now, for the first time, violated; and to that obedience to the law, which you have hitherto invariably maintained. Spurn from you your insidious advisers—reject, with abhorrence, their self-interested and treasonable counsels—leave them to that retribution which inevitably awaits them—retire to your homes, and to the bosoms of your families—*rest assured that a powerful and merciful government is more desirous to forget than to resent injuries; and that within that sanctuary you will experience no molestation.*"

This proclamation, the object of which was to detach the people from their political leaders, gave great offence to the party opposed to the Assembly—the "well-affected" party. The *Montreal*

Herald, the organ of that party, after observing that Lord Gosford "has a happy knack of ruining the country by proclamations," assails his Lordship in a strain of bitter invective for that which, we are quite sure, the British reader will consider an estimable feature in the document, we mean the humane assurance with which we have closed our quotation. From this commentary we shall make a few extracts, for the purpose of showing the difficulty of satisfying the "well-affected."

"His third proclamation has sown the seeds of future insurrection, by promising that all the rebels, without one distinctly specified exception, 'will experience no molestation.'" His Lordship's conduct reminds us of a little anecdote, to the effect that his Lordship's countryman, Dick Martin,* had ridden a horse to death, with a view to prevent the baiting of a jackass. Equally regardless of the nobler creatures (the *Herald's* party), their respective victims, Richard exclaims, *oh, the poor jackass!* and Archibald,† *oh, the poor habitants!*"

After stating, that so long as "certain ruffians of his Lordship's pet race—his French allies"—had the best of it, no proclamations were issued, the *Herald* continues—

"But now a change comes over the spirit of his Lordship's dream. At St. Charles, the French allies fared but badly, and then and not till then, is issued a proclamation. *Oh, the poor jackass!* *Oh, the poor habitants!* Are not these undeniable facts sufficient to justify an assertion, which we repeatedly heard on Saturday last, that the Earl of Gosford is at heart a rebel."

"Let us now consider, as definitively as possible, the extent of his Lordship's promised pardon; that pardon seems to be offered to all but 'a few evil-minded and designing men,' who, by way of an elegant variety, are elsewhere styled 'leaders,' 'political agitators,' and 'insidious advisers.'"

"Now every person, whose sentiments are known, is willing and anxious that a certain degree of clemency may be extended to all who may have been mere tools; but we cannot admit that the 'leaders,' and so forth, are accurately described as 'a few evil-minded and designing men.' It is not the execution of the six or eight demagogues, to whom his Lordship manifestly alludes, that can restore and preserve the tranquillity of the province. *Every local agitator, of every disturbed parish, must be tried, and, if convicted, must be deprived of all his property, and hanged.* It is thus that the actually guilty will be struck down, and the probable causes of future turbulence be cut off."

Now let it be observed, that this truly revolting language is the expression of the feelings of a class; the party among whom the paper in which it appeared extensively circulates, is that

* Meaning the member for Galway. † Archibald Acheson, Earl of Gosford.

which is opposed to the assembly. It is this party into whose hands, arms have been placed. Our readers cannot but shudder when they picture to themselves the possible consequences of the possession of power by men who can relish such sentiments.*

The proprietor and editor of this paper are liable to be called on to serve on juries. They belong to the class out of whom a Montreal jury would certainly be chosen. Of their fitness for that office, where a political offence was to be tried, let the above extract, and the note below, enable the reader to judge. As Englishmen, we cannot but have a sort of constitutional horror of martial law; but we submit with deference, that a court of English officers would be a safer tribunal than one composed of such men as the author of these truly revolting passages.

As the popular papers are destroyed, it is difficult to say what feelings the proclamation is calculated to excite in the minds of the Assembly and its friends. The humanity of the pledge with which it concludes, will but ill compensate for the continued proscription of the "leaders" to whom the people have shewn so strong an attachment. The "benefits," too, Lord Gosford recites, have often been conjured up before the Canadians, without producing that strong sense of gratitude which many, and Lord Gosford among the number, seem to think they ought to excite. As to religion, and other rights, guaranteed to them, they consider it as the mere performance of a solemn promise, and therefore not a matter of merit, especially as they accuse the imperial government of withholding some benefits, to which they deem themselves entitled. The prosperity they enjoy, those who think about the matter, are conscious that they owe, not to the government, but to the productiveness of industry in a new country;

* This is the same paper from which the following extract found its way into the London papers, and elicited expressions of their astonishment and disgust. It was copied, with approbation, into other papers, of the "well affected" party. "The punishment of the general leaders, however gratifying it might be to the English inhabitants of the province, would not make either so deep or so durable an impression on the great body of the people, as the sight of a foreign farmer on every local agitator's land, and of the comparative destitution of his widow and orphans—living and lasting proofs of the folly and wickedness of rebellion. The most vigorous exertions ought to be made, in order to identify and convict every local agitator, and to this purpose, most of the miserable creatures who were brought to town on Thursday, should be applied. They should be employed as witnesses against all such 'notables' as Duvert and Durocher, their own leaders in guilt, and partners in misfortune. A vigorous course of this kind would moreover have the effect of settling a large number of 'foreigners' in the most turbulent and most opulent part of Lower Canada, and thus at once ameliorate political evils, and promote agricultural improvement. To return to our original proposition, the funds raised in this way ought to remunerate every loyal man that may have suffered from the rapacity and cruelty of the savages.

"In accomplishing all this, no time should be lost; a special commission ought immediately to be issued for the trial of the present batch of imprisoned traitors. It would be ridiculous to fatten fellows all the winter for the gallows."

moreover, the Canadians sometimes cast their eyes towards the neighbouring states, where they see prosperity without the "political wisdom" to which Lord Gosford alludes; the grievances, which his Lordship asserts to have been redressed, the Canadians consider the very point in dispute; and they would perhaps open the reports signed by his Lordship, as one of the commissioners, and point out many severe cases of grievance admitted to be still in existence.

Thus, whilst the proclamation has excited the animosity of one party, it does not seem calculated to produce much effect on the other. The Lower Canadian insurgents appear to have been subdued by the arms of the military, without being convinced by the statements of the proclamation. Lord Gosford himself seems to be of this opinion. "What may be the effect of this address," says his Lordship,* "upon the minds of the misguided peasantry, it is difficult to say; they have disregarded my former warnings, the pastoral letter of their countryman, the Roman Catholic Bishop of Montreal,† and the peaceful advice of their clergy, and it may be that my present proclamation will meet with no better reception."

Another monitory document was circulated a few days before Lord Gosford's proclamation, which, owing to the character of the parties whence it emanated, was not likely to have any effect. It is an address signed by fourteen French Canadian magistrates, all, with one exception, obnoxious to their fellow countrymen as enemies of the Assembly, and friends of their enemies; and that one exception, once one of the most popular men in Canada, is likely to become obnoxious by this his last act. This address warns the people of "certain perfidious men who have pushed on isolated individuals to commit acts unworthy of men who know how to respect the public peace and the laws." It then advises them to return to their homes, and to rely on the protection of the British government, reminds them that "the vengeance‡ of the laws will be equally prompt and terrible," and concludes by stating, that they who call the people back to peace, believe themselves to be the most devoted servants of their country.

Immediately after issuing the monitory proclamation of the 29th November, which, it seems to have been expected, would cause the people to abandon their leaders, "with the advice of the executive council, and on the recommendation of the attorney-general," his Lordship issued three proclamations, offering rewards for the apprehension of twenty individuals, of whom the following is the list, with the sums offered:—

L. J. Papineau (Speaker)	£1000
Dr. W. Nelson	500
T. S. Brown	500

* Despatch of 30th Nov. 1837. Par. paper, No. 80. p. 9.

† See Introduction.

‡ "Vengeance is unknown to the law." Livingston: Penal code for Louisiana.

E. B. O'Callaghan, M.P.P.	£ 500
J. J. Gironard, M.P.P.	500
C. H. O. Cote, M.P.P.	500
J. T. Drolet, M.P.P.	500
W. H. Scott, M.P.P.	500
E. E. Rodier, M.P.P.	500
Amury Girod	500
Jean O. Chenier	500
P. P. Demaray	100
J. F. Davignon	100
Julien Gagnon	100
P. Amiot	100
T. Franchère	100
L. Perrault	100
A. Gauvin	100
L. Gauthier	100
R. Desrivères	100

The charge against all these persons is that of high treason. What evidence, or what affidavits the executive may have, it is impossible to say; at present, nothing appears in the papers laid before parliament or elsewhere to warrant the charge against many of the names on the list. Some have appeared in arms; they have, doubtless, rendered themselves amenable to such a charge; but others are not even known to have appeared in the disturbed district. M. Papineau and Dr. O'Callaghan in particular, have been charged with abandoning the people, because they were *not* among the combatants at St. Denis. Lord Gosford calls them "the criminal leaders of this reckless insurrection;"* the Montreal papers hold similar language, yet, with strange inconsistency, call the same men hard names, such as "skulking poltroons," because they have *not* been "leaders of this reckless insurrection." Leaders they were, but it was of the moral resistance of the people; that they have embarked in the recent insurrection is, we repeat, nowhere proved by the evidence hitherto made public.

In the early part of the month of December, an attempt was made by some of the members of the Assembly to induce Lord Gosford to call the legislature together. This measure originated with M. Lafontaine, member for Terrebonne; Mr. Leslie, member for the east ward of Montreal; and Mr. Walker, an advocate, who had been M. Papineau's opponent at the last election, and who, in 1835, was the constitutional delegate to this country. Mr. Lafontaine had during the summer, refrained from attending the public meetings which had taken place; and although an active and influential member of the majority, may probably have deemed himself somewhat less obnoxious to the ruling party, and to Lord Gosford, than those who had so attended; Mr. Leslie being a mild and benevolent man, and therefore much esteemed, even by those who were opposed to him in politics, would give weight to

* Par. paper, 16th Jan. 1838. No. 80, p. 15.

the application, whilst the association of Mr. Walker, with two gentlemen of the popular party, may probably have been designed to strip the application of all suspicion that it emanated from the most uncompromising section of the liberals.

It does not appear from any document, either public or private, to which we have had access, that they were delegated by any body of individuals; but on their arrival at Quebec, they were joined by twelve members of the Assembly, Mr. Walker having there, as it should seem, ceased to act with them.

The ground of their demand, that the Legislature should be called together, was simply this; that Lord Gosford having remodelled the Council very recently, he ought, if consistent, to call the Assembly Council together, in order to ascertain if it were possible for the two legislative bodies to act together.

Mr. Lafontaine and Mr. Leslie appear to have waited upon Lord Gosford on the 4th or 5th of December. Their verbal communication was afterwards reduced to writing, and signed by the following members:—

V. Tétu.	P. M. Bardy.	J. F. Deblois.
A. Berthelot.	L. T. Besserer.	A. N. Morin.
H. T. Huot.	J. Leslie.	J. A. Tachereau.
L. Methot.	L. H. Lafontaine.	H. Dubord.
A. C. Tachereau.	A. Godbout.	

In this shape, it was presented as an address to Lord Gosford; it met with an immediate refusal; and the same afternoon martial law was proclaimed. Lord Gosford's view of the matter is embodied in the following extract from his despatch to Lord Glenelg, dated 23rd December, 1837.

"I have recently received an address, dated the 5th instant, from the members of the House of Assembly, whose names are mentioned in the margin, urging me immediately to convoke the provincial parliament, as the only efficacious remedy, in their opinion, for the re-establishment of peace and harmony in the country; but as this application expressed the individual opinions of only 14 out of the 90 members of the House; and as I did not conceive on general grounds that such a course of proceeding would, under existing circumstances, be either prudent or advisable, I declined to adopt it. Indeed, it would have been a virtual disfranchisement for the session, of several counties, whose members are either in gaol, or fugitives, under the charge of high treason, and for the apprehension of many of whom a reward has been offered. Besides, any measures adopted by the local legislature under the present position of affairs, would probably be hereafter considered as the result of a constraint produced by recent events, an impression that could not fail to destroy in the public mind those feelings of confidence and respect which the proceedings of a legislative body ought at all times to command."*

We can find nothing to object to, considering all the circum-

* Par. paper, 2nd Feb. 1838. No. 100, p. 6.

stances of the case, in the determination on the part of the governor. If it had been contemplated to accompany the calling together of the Assembly with a general amnesty, it might have been attended with the most beneficial effects. The insurrection having ceased in the country watered by the Richelieu, such a measure of conciliation, nay, of clemency, would have strengthened Lord Gosford's government more than any course of coercion. It would have been a true conquest of the Assembly; and, although we are convinced that no government but one which is purely elective in its character, can ultimately succeed in America, the immediate effect would have been the generation, to a certain extent, of a yielding disposition on the part of the Assembly. We have been assured that the recal of the exiled members formed part of the plan of Messrs. Lafontaine and Leslie, but it does not appear to have been so understood by Lord Gosford. His Lordship distinctly states the fact of some members being in gaol, and others in exile, as a ground for refusing. The absentees numbered most of the members for the Montreal district, including the Speaker; it does not appear that on the whole, above sixty members were in a condition to attend, so that we do not see how Lord Gosford could well have complied with the doubtless well-intentioned request, without an amnesty, which he does not seem to have been disposed at that time to grant.

The proceedings relative to the declaration of martial law next demand our attention. For some time, the newspapers of Montreal had been loudly calling upon the executive to resort to this extreme measure, to which, however, his Excellency for some time exhibited a proper reluctance. This reluctance, natural enough to an Englishman, but which the colonial governing party could not comprehend, much less appreciate, gave rise to a report that the power to proclaim martial law, usually inserted in the commissions of colonial governors, had, either through inadvertence or design, been left out of that of Lord Gosford. Whether this be or be not the case, we find his Lordship addressing Lord Glenelg, as early as the 6th of November, to the following effect:—

"I have used, and am still using, every endeavour to arrest the progress of anarchy and confusion that is spreading, with great rapidity, throughout the district of Montreal; but I find the ordinary powers of the executive quite insufficient for the purpose."

This may have been intended to prepare the imperial government for the resort to "extraordinary powers;" and whether such powers were included in Lord Gosford's commission is of little moment, inasmuch as no governor would feel any hesitation in usurping such powers, knowing that it is a principle of the administration of the colonial office, to protect their governors in all acts against the people. A bill of indemnity* for the proclamation

* To show that a reliance that indemnification would not be withheld from him, was by no means unreasonable, should he exceed his instructions in the

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of martial law would, in the case supposed, be sure to await Lord Gosford on his return to this country.

On the 20th of the same month, the Executive Council met for the purpose of deliberating on the same subject. At this meeting, M. Debartzch was present, and as the insurgents at St. Charles had only a few days before held him in durance in his own house,* it was not wonderful that he should desire the adoption of an extreme measure. In short, of the five persons who assisted at this deliberation, no less than three were of the apostate class—a class which seems perpetually on the alert to do some overt act of loyalty, in order, we suppose, to destroy all suspicion of the possibility of a backsliding to liberalism. The result of their deliberation was as follows:—

“It was ordered, with the advice of the board, that inasmuch as the civil authorities in certain parts of the district of Montreal are unable to carry the law into effect without the aid of the military force, it will become expedient, should such a state of things continue, to declare those parts of the said district in a state of insurrection and rebellion.”

Still Lord Gosford hesitated, being all the time subject to the violent abuse of the Montreal anti-popular papers,† whose cry was continually for blood. At this time, no intelligence of the transactions at St. Charles and St. Denis had reached Quebec; as they had been undertaken, not by order of the executive, but by the commander of the forces, at the demand of the law officers of the crown, and on his own authority. Immediately after these transactions, the magistrates of Montreal had a meeting, at which the following resolutions were passed:—

“That the standard of rebellion has been raised in various portions of this district, and considerable bodies of armed men

case supposed, we offer the following extract from a despatch of Lord Glenelg's, addressed to Sir John Colborne on the 6th of December last.

“To repress by arms any insurrection or rebellion to which the civil power cannot be successfully opposed, is, therefore, a legitimate exercise of the royal authority; and in the attainment of this object, the proclamation of martial law may become indispensable. It is superfluous to state with what caution and reserve this ultimate resource should be resorted to; and that it ought to be confined within the narrowest limits which the necessity of the case will admit. But if, unhappily, the case shall arise in any part of Lower Canada in which the protection of the loyal and peaceable subjects of the crown may require the adoption of this extreme measure, it must not be declined. Reposing the utmost confidence in your prudence that such a measure will not be needlessly taken, and relying on your firmness that, if taken, it will be followed up with the requisite energy, her Majesty's government are fully prepared to assume to themselves the responsibility of instructing you to employ it, should you be deliberately convinced that the occasion imperatively demands it. *They will with confidence look to parliament for your indemnity and their own.*—(Par. paper, Dec. 1837, No. 72, p. 106.)

* See chap. ii. p. 22.

† We need not fatigue the reader with further specimens of this abuse. Those which will be found at page 43, will suffice.

have assembled, under the command of persons who have publicly declared that their object was to upset the government of this province, and to sever its connexion with the United Kingdom, and who have fired on and killed a number of her Majesty's troops while executing the orders of the civil government.

"That there is reason to apprehend that an extensive system of insurrection is in active progress of organization in this district, conducted by persons notoriously disaffected to her Majesty's government, who, the regular forms and process of civil law do not permit being immediately arrested and brought to punishment, thereby endangering the safety of the city,* and the lives and properties of her Majesty's subjects throughout the district.

"That the magistrates, now in special sessions assembled, do represent to his Excellency the Governor-in-chief, that, in their opinion, the exigencies of the times require that this district be placed under martial law."†

The sanction afforded by the above resolutions to the declaration of martial law by the Governor, seems afterwards to have been deemed by the magistrates of insufficient force; they therefore met a second time, on the 4th of December, and passed the following resolutions, in the way of explanation.

"That, in the opinion of this meeting, the turbulent and disaffected persons who have incited the peasantry to rebel against her Majesty's government, have been led on and encouraged in their career of crime by a firm belief that whatever might be their political offences they would not be declared guilty by any jury impanelled in the ordinary course of law; that the great mass of the population in this district having been engaged in aiding and abetting the late treasonable attempts, a fair and impartial verdict cannot be expected from a jury taken indiscriminately from the legally-qualified inhabitants; and that, unless measures are adopted to ensure the equal dispensation of justice, few, if any, even of the most guilty among the rebels will receive the punishment justly due to their crimes; while the loyal and well-disposed will continue to be exposed to persecution and outrage from those who believe themselves to be beyond the reach of legal retribution.

"That the faithful and attached subjects of her Majesty in this district, who have proved their fidelity by a zealous support of the government in times of peril and difficulty, are entitled to claim adequate protection from the executive of the province; and that this meeting declares its deliberate conviction, that the only effectual mode of granting that protection, and of arresting the progress of crime and of social disorganization is to place this district under martial law."

* See what has been already stated concerning the state of alarm in the city at this time. Chap. iii. p. 40.

† Par. paper, Jan. 16, 1833 No. 80, p. 13.

It will be seen that in the first of these latter resolutions, the magistrates assert that "a fair and impartial verdict cannot be expected from a jury taken indiscriminately from the legally qualified inhabitants;" on the other hand, we have seen the leading men of the popular party flying from the city under the impression that the courts offered no protection to them*. Here, it seems, we are thrown into a strange difficulty. We have two adverse political parties, both complaining of the constitution of the judiciary, the one because a jury would certainly be in favour of the insurgents, and the other because a jury would as certainly be against them—the latter backing their opinion by declining to trust themselves to that which the magistrates declare to be certainly in their favour. This conflict of adverse opinions leads us to infer, that a jury in Canada is as uncertain a matter as a House of Commons' Election Committee. Look at its constitution, and the result may at once be foretold. So also of the Canadian jury; look to the mode of impannelling it—to the original source of its construction—and, in the case of political offences, the result may at once be predicted. With the protection of the Statute for Summoning Juries, which was in force from 1832 to 1835, it must be admitted that the government would have found it difficult to obtain a verdict. But that law, let it be remembered, exists no longer, so that the will of the sheriff (an officer belonging to the same political party as the magistrates) prevails. This the political leaders of the Canadians had long contemplated. They knew that, in a political trial, on a former occasion, the jury was chosen out of *a single parish*—La Chine, inhabited almost wholly by men of the anti-popular party; this forbade the idea of chance, and convinced the leading men that a packed jury would be their portion†. Now, whether the impression were correct or not, it must be evident that their state of mind on the point must have been very different to that which the magistrates supposed. If therefore the latter had no other reason to demand martial law, they seem to have recommended a truly odious measure somewhat rashly. Secure of a jury favourable to their views, they might have saved themselves the extreme unpopularity of making such a recommendation.

Whilst they have underrated the favourableness to their views, of a jury nominated by a crown-made sheriff, they may also have overrated that of a court-martial. If a court-martial even condemn a few of the most active of those taken in arms, it is quite certain that such a tribunal would be slow to imbrue its hands in blood to the extent demanded in the extracts we have given in this chapter‡. Earnestly is it to be hoped that neither judicial slaughter nor confiscation will be resorted to. In political strife, it is a poor weapon compared with clemency. The blood of political martyrs cannot be wiped out; it is calcu-

* See Chap. i. p. 11.

† See Ibid.

‡ See p. 43, 44.

lated, sooner or later to re-arm a tranquillised population. Clemency, on the other hand, achieves a long-enduring victory. However much, therefore, it may disappoint and dissatisfy the constitutionalist party in Canada, who deem it so important that "the rebels should receive the punishment due to their crimes,"*— "that every local agitator should be hanged, and his property confiscated;"† we feel quite sure that our English readers will join us in the hope that the noble maxim before quoted—"Vengeance is unknown to the law,"‡ will not be found excepted in the case of martial law.

The magistrates' resolutions of the 4th of December, probably arose out of the Governor's tardy compliance with those of the 27th November, for instead of martial-law, on the 29th, the monitory proclamation made its appearance; before the second set of resolutions left Montreal for the seat of government, however, martial law had been determined on. On the 4th of December, the Council met for the express purpose of sanctioning the measure, and the following is a minute of their proceedings:—

"His Excellency laid before the board, the attorney and solicitor-general's opinion, and report upon the right of the crown, to declare martial law, together with the attorney-general's draft of a proclamation, dated 28th of November, 1837, declaring the district of Montreal under martial law; and as it appears by the attorney and solicitor-general's report, that the functions of the ordinary legal tribunals may be considered as having virtually ceased in the district of Montreal, and that scarcely in any part thereof, process of any description can be served, or writs executed by the ministry of the civil officers;—

"It was ordered, with the advice of the board, that the attorney-general's draft be adopted; and that a proclamation do accordingly issue, declaring the district of Montreal under martial law, and empowering the proper authorities to carry it into effect."§

Proclamation to the above effect was accordingly made the next day, Lord Gosford having previously transmitted to the colonial minister his motives and feelings on the subject to the following effect:—"It has become a serious question with me, whether the insurgent localities should not, as a matter of absolute necessity, be placed under martial law; and I cannot help expressing a fear that I shall be compelled, though with the deepest reluctance, ultimately, and perhaps almost immediately, to resort to this severe, but if matters do not mend, indispensable

* Magistrates' Resolutions, p. 50.

† Extracts given at p. 43.

‡ p. 45.

§ Par. paper, No. 80, p. 16.—It is worthy of notice, that Mr. Debartzch who had been present at all the preliminary deliberations on the subject, was absent when the time for final decision arrived. The reader will not have forgotten the story of Mr. Debartzch's school propensity of setting little boys to fight, &c., see p. 20., the application of which to the present subject is curious.

measure. Indeed the great majority of the magistrates of the city of Montreal in formal session, have recently addressed me urging its immediate adoption."

With the proclamation, and a commission authorising Sir John Colborne to execute martial law, a letter of instructions was also written from which the following is an extract of the material portion:—

—"It is his Excellency's earnest hope that the declaration of martial law will of itself strike such a salutary terror into the hearts of the disaffected in that district, as will obviate the necessity of having the recourse to these extreme severities, the execution of which is hereby confided to you, and to which, in the present dangerous crisis, and in the absence of all other remedy, his Excellency most reluctantly is compelled to resort.

"I have it therefore in command* from his Excellency to instruct you, that in all cases wherein the unlimited power with which you are now entrusted can be exercised in co-operation with, or in subordination to the ordinary laws of the land; and that in all cases where from local circumstances, or from a prompt return to their allegiance, the deluded inhabitants of any part of that district display an honest contrition for their past offences, you will revert at once to the assistance of the civil authorities, and impress upon a misguided people the conviction, that her Majesty's government in this province is equally prompt to pardon the repentant, and punish the incorrigible.

"These instructions will alleviate, in some degree, the apparent severity of a measure which the present painful emergency imposes on his Excellency, and will relieve you from any responsibility which might otherwise arise out of the exercise on all fitting occasions of that leniency, which his Excellency feels assured is so congenial to your feelings."

In a despatch addressed to Lord Fitzroy Somerset, dated 7th December, Sir John Colborne thus states the spirit in which it was his intention to administer martial law.

"I beg to assure the general commanding-in-chief, that although the governor-in-chief, has considered it necessary to declare the district of Montreal under martial law, I shall, on every occasion, avail myself of the assistance and advice of the civil authorities in carrying into effect such measures as may be required to restore order, and to protect the property of the loyal inhabitants."†

From this time, and perhaps even from an earlier date, Sir John Colborne may be considered as governor-general. Up to the date of the latest despatches which have been printed,‡ Lord Gosford continued to address the Colonial Secretary as governor, whilst Sir John Colborne's military despatches are addressed only

* It is the Secretary who writes. † Par. paper, No. 80, p. 18

‡ 2nd January, 1838.

to the Military Secretary, Lord Fitzroy Somerset; but Lord Gosford appears, on most occasions, to have acted with the advice of the commander of the forces, besides which, Lower Canada being virtually reduced to a military government, the chief power has necessarily fallen into Sir John Colborne's hands.

For some time previous to the breaking out of the insurrection, Lord Gosford appears to have been desirous of being recalled, and we may add, the Colonial Office equally desirous of recalling him. On the 14th of November, which he it remembered, was about the time the executive struck the first blow,* Lord Gosford addressed to Lord Glenelg, the following short despatch.

"Finding from the system pursued by the disaffected in this province, that the decisive measures I have recently submitted for your consideration, become every day more necessary, it naturally occurs to me, that if it should be determined to take a strong course of proceeding, you might feel desirous to entrust the execution of your plans to hands not pledged as mine are to a mild and conciliatory line of policy. As I stated in a former letter, I would not shrink from difficulties, nor wish to take any step that would in the least degree embarrass her Majesty's ministers; but I owe it to you, to myself, and to my sense of public duty, fairly and honestly to declare my conviction, that any alteration that may take place in the policy to be observed towards this province, would be more likely to produce the desired result if confided to a successor, who would enter on the task free to take a new line of action, without being exposed to the accusation of inconsistency, which just or not, must always prove injurious to the beneficial working of any administration. My continuance here to this time has been, as you are aware, solely on public grounds; had I been influenced by private considerations, I should long ere this have solicited my recal, but the principles by which I was actuated, would not admit of an abrupt application of this nature; I therefore confine my communication on this head to acquainting you, that my private wish was to return home, but leaving it entirely to you to take the course you might think best calculated to promote the public service. I can now, however, assign reasons of a public nature for wishing to be relieved, which I could not well have done sooner; and should you admit their validity, I trust that after what I have said, you will feel no hesitation as regards myself in making such arrangements as you think desirable."†

This despatch reached England about the 20th of December last, but more than three weeks previous to its receipt, Lord Gosford's recal had been determined on. On the 27th of November, Lord Glenelg, after adverting to "the disinterested manner" in which his Lordship "had left to her Majesty's ministers, the

* See Chapter i. page 9. † Par. paper, No. 72, p. 107.

entirely free and unembarrassed discussion of the question ;" as to his "continuance in office" or his "retirement from it," continues as follows :—

"At the same time, it is impossible not to perceive that the course of policy which must now be pursued, will be more conveniently followed out by one less implicated than yourself, in the events of the last few years. Merging therefore, in a sense of public duty, all personal considerations, we have felt ourselves under an obligation to avail ourselves of the generosity with which you have placed the disposal of your office at the unembarrassed discretion of her Majesty's ministers, and to advise her Majesty to relieve you at once from the government of Lower Canada . . . Enclosed is a despatch which you will deliver to Sir John Colborne, on whom, in conformity with the terms of the commission, the administration of the government, until the arrival of your successor, will devolve."

From this time forward the despatches of Lord Glenelg have been addressed to Sir John Colborne, and by the first or second week in January, Lord Gosford, we shall most probably find, will have ceased to exercise the office of governor in any way. The civil government of Canada, having been virtually destroyed by the proclamation of the 5th of December, Sir John Colborne will, most likely, remain at Montreal, as long he deems his presence, in the slightest degree, necessary.

Lord Gosford's desire to be recalled cannot be wondered at. His position must, for a long time, have been painful in the extreme. He went out to Canada with the reputation of being a liberal man ; he was, moreover, the representative of a liberal government ; he permitted it to be understood that his instructions were also of the most liberal character ; in short, all his talk was of liberality and conciliation. Presently, Sir Francis Head published his Lordship's instructions with his own, when it was found that there was not a single line which the majority of the Assembly deemed of a liberal character.* The consequence was, that the Assembly from that moment believed themselves deceived ; they believed most firmly that Lord Gosford and the Colonial Office, had unequivocally lent themselves to a conspiracy to obtain a vote of supplies. The first feeling of the Assembly had been that of excessive indignation ; that feeling, however, at length gave place to unconquerable distrust. The consciousness of being thus regarded, must, under any circumstances, be sufficiently painful.

Whilst he is thus obnoxious to the Assembly and people of the province, he is by no means popular with the Assembly's enemies—the anti-popular party.

In Canada, there can be no middle term, no neutral ground

* See the Introduction.

in politics. The social equality of the people converts them into a state of natural democracy, whilst on the other hand, the forcible maintenance of power in the hands of a minority, renders them from their mere weakness, intolerant of any countenance given to the governed many. Fear, in short, must always render a minority clad with undue powers, tyrannical. We see it in Ireland—in the slave-states of America—in all of our Colonies where we have attempted to raise a forced aristocracy. Let us not wonder, therefore, that the bare idea of conciliation made the whole governing party, Lord Gosford's enemies. His assumption of the office of governor was the signal for the most virulent attacks in all their papers; and almost the last sound heard within the walls of the House of Assembly, was a diatribe against the governor—not from the mouth of Papineau, O'Callaghan, Lafontaine, or Perrault, the orators on the popular side; but from that of Andrew Stuart, the best and most honourable, as well as the most eloquent man of the anti-popular party.

Lord Gosford's longing desire for recal was therefore, in all probability, generated not a great while after his arrival. In his private letters to Lord Glenelg, he appears to have expressed that desire pretty frequently; at length the supposed necessity for a more coercive line of policy affords an excellent opportunity to ministers of carrying their mutual desires into effect.

Lord Gosford appears throughout to have been utterly unfit for his office. On what ground he was appointed, it is difficult to say. All that was previously known of his Lordship was, that he had shown firmness in one particular case at Armagh. But that case presented no great difficulty; popular opinion had been for some time setting against the orange institutions, and in opposing them, he merely permitted himself to be borne along with the tide. Backed by popular opinion, it is not difficult to be firm; but it requires far other powers to deal with two excited parties contending for the mastery, as in Canada. Such powers Lord Gosford has certainly not exhibited.

We have now brought to a conclusion the narration of the executive measures of the government of Canada, connected with the insurrection. In the next chapter, we shall return to the further military operations on the River Richelieu.

CHAPTER IV.

MILITARY OCCUPATION OF THE RICHELIEU.

Departure of Colonel Gore—His Force—A Conjecture—His March—No Enemy—The Escape—The Burnings—Occupation of the Villages—Sympathy in Vermont—A Skirmish and Capture—The District quiet. Want of plan on the part of the Insurgents.

Our second chapter closed with the sudden return of the troops from the expedition against St. Charles, we now take up the narrative of the second military operation in that section of the country.

After the evacuation of St. Charles on the 27th or 28th of November by Colonel Wetherall, it was reported that the insurgents had again taken possession of the village. Further accounts stated that the armed force had retired upon St. Denis; that the insurgents were there still in considerable force; and that they were making such defences as were in their power. It was also understood that the peasantry were in arms in other parts of the country.

Within the city, at the same time, the alarm had somewhat subsided. Wetherall had returned, to a certain extent successful; the volunteer force was great and increasing; and the north-west side of the city had been put into a tolerable state of defence; so that the commander of the forces found himself in a position to spare a considerable regular force to complete the conquest of the disturbed district.

Accordingly, on the 30th of November (Thursday), Colonel Gore left Montreal, by steam-boat, for Sorel, where he arrived the same evening, having under his command nearly eight hundred men, with three field pieces, and a supply of Congreve rockets. This force consisted of four companies of the 32nd, two companies of the 66th, two companies of the 83rd, and one company of the 24th, together with the necessary detachment of the artillery, and a small detachment of the volunteer cavalry, in all nearly 800 men.

A rumour was current at Montreal, at the time that the real destination of this force was St. Benoit, otherwise called Grand Pré, the supposed intention being that it should, instead of proceeding to Sorel, land at the lower end of the island, and march against the insurgents with as much secrecy and dispatch as possible. This proved a mere conjecture. The river Richelieu was the destination of the force, and its object was to disperse the insurgents and to occupy the country.

On the morning of the 1st of December, Colonel Gore attempted

to break the ice of the Richelieu with the steam-boat, John Bull;* but on proceeding one mile, he found it utterly impracticable. He was, therefore, compelled to land the troops and march to St. Ours, the first village on the river, where he halted for the night. His object, in attempting to ascend the river, was doubtless, (under the impression that St. Denis was still occupied) to avoid the harass and fatigue of a march, of which he had already had fatal experience.

Let us here leave Colonel Gore for a time, in order to present to the reader a few extracts from a letter from Mr. Brown to the *New York Daily Express*, giving the details of his escape from St. Denis.

After the affair of St. Charles, it appears that many of the insurgents, who had arms, repaired to St. Denis; the rest, together with the unarmed, dispersing to their homes. Here they remained until the news arrived that the troops were at St. Ours, and it became necessary to determine at once or "the course to be pursued. Accordingly, seeing that there was no simultaneous rising elsewhere, and that to continue in force—which Brown asserts they could have done—would only be to draw the enemy after them (for he admitted they would have been compelled to retreat) to the great loss of life and destruction of property, they prudently determined on flight.

"We, therefore," says Mr. Brown, "told our men to go home quietly for the present, and to be in readiness to assemble at the first signal. For ourselves, a full pardon to all had been offered, on condition of our being delivered into the hands of Government;† and we felt no ambition to become the vicarious sacrifice for the political offences of the county of Richelieu. * * With these considerations we determined on visiting the States."

Accordingly, Mr. Brown and his companion, whom he does not name, but who may be presumed to have been Dr. Wolfred Nelson, with five Canadians, "who considered emigration expedient," left St. Denis in carts towards the boundary of Missisquoi county, but being apprised that the roads were occupied by militia, they were compelled to take to the woods.

"After breakfast," continues Mr. Brown, "we crossed to the right or northern bank of the Yamaska river, and continued walking until night-fall, when we found ourselves in a tremendous windfall, the prostrate trees† crossing in every direction, through which we forced ourselves, like small fish through a salmon net,

* The John Bull is, perhaps, one of the largest and most powerful river boats in the world. She has two engines of 140 horse-power each, and can work them up to a much greater power. She can tow three or four laden ships up the rapid current of Montreal.

† He alludes, doubtless, to the monitory proclamation of the 29th November

† For an animated description of the falling of a tree, see Cooper's novel of "The Pioneers."

until we arrived at a swamp, when darkness prevented our going forward. The proximity of some huts prevented our making a fire. To compensate for the absence of sleep for the last forty hours, I had the consolation of getting my back against a tree, with my knees drawn up, to keep my feet out of the water, which refreshing posture was disturbed about two o'clock in the morning by violent rain, which lasted until day-light, at which time our march was resumed. The outer world was fair and beautiful; but in the forest, the constant dripping from the trees was like a shower-bath from an ice-house.

Onward we packed till night, when, choosing a dry spot, we kindled a fire, collected hemlock branches for our beds, dried our clothes, and passed a comfortable night. For food, we had found during the day, a few small turnips, * * * and for drink, the swamp pools furnished abundance. * * * On Monday early, (they had commenced their foot journey on Friday,) we reached the skirt of the wood, when, what was our horror on discovering that we had got into the throat of a still stronger wolf than that which we had left behind; we were, in fact, close upon the tory village of Granby, where a guard appeared to be stationed. Our guide, like Natty Bumppo,* deceived by the clearings, had lost his way. Returning to the woods, we discovered the northern branch of the Yamaska about a mile (distant) when ——— who is of a Kentucky frame, dashed into the water, and fording the river, wanted us to follow him. By comparing the water-line on his body with a section of a corresponding height upon our own, we saw that the same experiment upon ourselves would approach too nearly to submarine, we therefore listened to our guide's statement, that there was a better place lower down. By moving towards this place, we lost sight of ——— entirely, and upon reaching it, our guide, under pretence of looking a little further, deserted us for ever."

Here his Canadian companions determined to return to the French settlements, whilst he pushed on towards the south. Shortly after his companions left him, he ventured into a cabin, where he found only an Irish woman. She charitably offered to boil some potatoes for him, but learning from her that an American lived hard by, he proceeded at once towards his clearing.

"In coming to the house," continues Mr. Brown, "how grateful to my ears was the sharp voice of the wife, scolding her children. It was a Yankee voice. Upon entering the dwelling, which was composed of one room, without a chimney, but with a tremendous pile of wood burning upon the hearth, the smoke from which escaped through a hole in the roof, I asked for some milk. The lady eyed me suspiciously, 'she guessed she had none—the children had eat it all up.' I had, however, scarcely

* Cooper's Pioneers.

felt the genial influence of the blazing fire, when a bowl of milk, with bread, was on the table, and instantaneously the frying-pan was hissing on the coals, with pork."

Here follows an apostrophe to "woman," Mr. Brown being a poet, but we omit it. Suffice it to say, that he was well entertained by the generous Yankee, in whose hut he slept and breakfasted.

"On Tuesday morning, after eating a hearty breakfast, I crossed the branch of the Yamaska, in a canoe. Three miles walk through the woods brought me to the south branch, up which I walked until I found another canoe, in a clearing, when I was ferried over by a Canadian woman."

After passing a bridge in the night, whilst the volunteer guard was changing, and sleeping for some time in the woods, he reached within twomiles of Dunham village, where he struck into the woods, in order to gain the Stanbridge road. Had he succeeded, he must have been captured, as the whole of that township, together with the seigneurie of St. Armand to the frontier, was occupied by loyal volunteers. Fatigue and lameness, however, prevented his continuing further, and he was compelled to return to one of the houses in the neighbourhood, and make as good a story as he could devise.

"As I approached," he continues, "I met the owner, to whom I said, 'I was going through the woods, but it looks so like snow, that I'll continue till morning.' He looked an instant in my face, and then exclaimed 'Brown, I know you, but here are four friends of yours, and you are safe. I have just come from the Flat*—they are all after you; old Cuper was firing his old gun, he swore he would shoot you, if he could see you. I daren't take you into the house, so you must come into the barn.'"[†]

Here he was obliged to remain, shifting from barn to barn, till his lameness subsided. In three days, he was enabled to walk, and at length reached Berkshire, in the state of Vermont. On Saturday, he moved southward. "The first Montreal paper I saw," he adds, "contained, sure enough, a reward for my head, and that of ——. We certainly have precedence on the list, but I do not like the classification, and consider the valuation far below my own estimate."

Such are the material portions of the letter published in the New York papers, as Mr. Brown's own account of his escape,

* In the township of Dunham.

† It is here proper to mention, that no case of treachery is as yet upon record. All the captured patriots were taken by political adversaries. It has been mentioned to us that M. Papineau and Dr. O'Callaghan were many nights together in the woods, suffering great exhaustion. They fell in with a Canadian, who knew them. "You are M. Papineau, and you are the editor of a paper. I can make my fortune by calling upon the next captain of militia, who lives hard by, but you are safe." The man was poor; a sum of 6000 dollars, an enormous fortune to a peasant, equal indeed to £150 a year for ever, employed in Canada, was within his reach, yet he rejected it, and aided their escape.

the parts we have left out being wholly unimportant. His companion, assuming that Dr. Wolfred Nelson was the person he alludes to, was not so fortunate; he was taken in a state of exhaustion from hunger, cold and fatigue, and on the 13th of December, was lodged in the Montreal gaol.

Return we now to the troops under Colonel Gore, whom we left at St. Ours, on the night of the 1st of December.

On the morning of the 2nd of December, he entered the village of St. Denis, where he met with no opposition. His first step was to burn the property of Dr. Wolfred Nelson, which in the course of that day and the next was entirely destroyed. The destruction of property did not stop here. The house which the insurgents had occupied during the absence of the owner, a widow lady, named St. Germain, and from which the most galling fire upon the troops had been kept up, was also demolished or burned. This was unquestionably a case of cruelty. Madame St. Germain had not offended, but her house was accidentally so situated, and moreover, so strongly built, that it afforded convenient shelter to the insurgents, and became the chief source of annoyance to the troops. Some of the American papers are exceedingly witty at Colonel Gore's expense. They insinuate, that when *men* opposed him, he beat a retreat; but when the men had gone, his unchecked valour let itself loose upon the undefended property of a woman! The insinuation is not wholly just, inasmuch as Colonel Gore evinced considerable perseverance against difficulties at the affair of St. Denis. We merely mention it to show the effect of the deliberate burning of the widow's property on the minds of the people of the States. Every American nurse has a choice collection of tales relative to the conduct of the troops, during the revolutionary war,—the burnings in Canada will doubtless be added to the list. In order to keep the neutrality of America unimpaired—to keep in abeyance the sympathy of the people of the United States, these burnings should certainly have been avoided. They violated good policy as much as humanity, and that is saying a great deal.

After leaving three companies and one piece of artillery to occupy Saint Denis, Colonel Gore continued his march to what remained of Saint Charles. Here he did not long stay, having received information that "some of the rebel chiefs were at St. Hyacinthe."

St. Hyacinthe is a beautiful village, situated on the Yamaska river in a seigneurie, and also in a county of the same name. The village is about eighteen miles from St. Denis and St. Charles, and is one of the most considerable in that part of the country, as it contains upwards of two hundred houses, some of them being built of brick, which is rather unusual in the seigneuries. The village also contains a large and handsome church, a good parsonage-house, and, above all, a well conducted college, or rather

public school. There is a market here twice a week, and the travelling through the village is sufficient to support two good inns. The population of the whole parish is about 8,000.

Here a relation of M. Papineau has a house, at which that gentleman is in the habit of staying occasionally; hence the suspicion that "some of the rebel chiefs" were there. The proceedings at St. Hyacinthe we shall relate in the commanding officer's despatch:—

"I immediately proceeded, according to your Excellency's orders, to that place, which I entered in the evening, and surrounding the house, where Papineau usually resided, it was strictly searched, but without finding him.

"I was accompanied by M. Crenier, the parish priest, who gave me every information in his power; and I am happy to say, that it is his opinion that the *habitans* now begin to see their folly, and that they have been grossly misled. They have returned to their homes in the whole of the counties between the Richelieu and the Yamaska, and gave every assistance required for transport.

"I halted the troops on the 4th, at St. Hyacinthe. The curé called an assemblée of the principal inhabitants and the *habitans*; he addressed them with great eloquence, showing the selfish designs of their leaders, the folly of being led by them from their allegiance, exhorted them to continue in their homes, and assist in arresting the rebel chiefs, which they promised to do."*

In the evening, the troops marched back to St. Charles. Two companies of the 83rd, with one gun, were directed to occupy it. A small detachment was left at St. Ours, and taking the remainder of the forces, namely, four companies of the 32nd, and one howitzer, Colonel Gore returned to Sorel, where he arrived on the morning of the 7th.

Whilst these things were going on, it was reported that the peasantry were again assembling near the frontier, in the direction of Stanbridge and Saint Armand, close upon Missisquoi Bay, and, in his despatch of the 7th December, Sir John Colborne expressed his intention of sending troops thither in a few days to attack them.

It may here be mentioned, that when the people of the country, lying on the Richelieu frontier, rose to resist the troops, the inhabitants of all the towns between Burlington and the frontier, in the state of Vermont, evinced a very vivid interest in the struggle. At Highgate, immediately on the frontier, at St. Albans, at Montpelier, at Swanton, and at Burlington, the fugitives were well received, and assistance to some, though not to any very considerable extent, was rendered them. There was a good deal of excitement, and a general expression of sympathy; but the insurrec-

* Par. paper, No. 80, p. 19.

tion was too completely in the bud, and its result too problematical, to draw from the Americans any very active aid. The early reports were much more favourable to the patriots than the fact warranted. The success at St. Denis was magnified, and it was asserted that the regulars and volunteers had been dispersed at St. Charles. When this report reached Cambridge in Vermont ten guns were fired "in honour of the Honourable L. J. Papineau;" and, generally, throughout the northern part of that state, there was a disposition to a rise in favour of the Canadians. Arms were certainly furnished to a small body of Canadians, and had the insurgents succeeded in keeping out for a month or six weeks, there cannot be a doubt but that the people on the Vermont frontier would have been as active in favour of the Lower Canadians, as those of the New York frontier have since been in favour of the Upper Canadians under Mackenzie.* A small body of men appears to have been equipped at Swanton, where the young women of the place presented them with a pair of colours.

On the morning of the 6th of December, they entered Lower Canada at a point called Moor's Corner, not far from Highgate. Their numbers have been variously stated at from forty to two hundred; but it is probable they were nearer the latter number. It is supposed their intention was to cross the country, to reinforce the insurgents at St. Benoit; and this supposition is probably correct, as the force was too small to act independently, and of the state of the country on the Richelieu they could not be ignorant. This small body was led by M. Robert Bouchette, son of the Surveyor-General of the Province, whose maps of, and work on Canada, are well known in this country. The father is, of course, attached to the government; but the son had embraced the opinions of the majority, to which he gave effect by editing the *Liberal*, a paper published in Quebec in both languages.

M. Bouchette is a man of good ability, is well educated, and of gentlemanly address. He was married a few years since to an English lady of noble family, who fell a victim to the cholera in 1832.

The only account we have of the ultimate fate of this small body of men under Bouchette, is contained in the reports of Captain Kemp, of the Missisquoi militia, and of Colonel Knowlton, colonel of the Shefford volunteers.

Captain Kemp, it appears had been charged to escort some arms from Philipsburg, and had under his command about fifty men. He had not long left the place when he was recalled by a report that a body of men from Swanton intended to burn the village that night. In consequence of this, he returned to Philipsburg, and collected men, whom he armed with the muskets under his charge.

Scouts now came in from Swanton with the intelligence that the body of men, above alluded to, well equipped, and having with

* See chapter ix.

them two pieces of cannon, had actually taken up their march for the province. Hereupon a position was taken up about half a mile south of the village, on the west road leading to Swanton. After some time, it was reported they were advancing along the east road. Here Captain Kemp immediately repaired, soon after which the expected adversary appeared, numbering, according to Captain Kemp's report, 200 strong. We now take up the words of the report.

"The force under my command amounted to about 300; but before it was possible for me to reduce them to order, the van of my line had commenced firing without command * * * This premature fire was instantly returned by the rebels, and the firing was kept up on both sides for about ten or fifteen minutes, when the enemy retreated back towards the state of Vermont, leaving behind one dead, two wounded, and three prisoners.

"One of the wounded is Robert Shore Milnes Bouchette, who led the advanced guard of the rebels, and is severely hurt. The other is slightly wounded, and reports himself to be a nephew of Julian Gagnon, of St. Valentin, in Acadie, habitant, the leader of the party. They left also two pieces of cannon, mounted on carriages, five kegs of gunpowder, six boxes of ball cartridge, seventy muskets, part of them in boxes, and two standards. From the undisciplined state of the loyalists, the darkness of the night, it being nine o'clock, and the vicinity of the woods, the rest of the party made their escape."

Sir John Colborne, in his despatch* to Lord Fitzroy Somerset, states, that he had "directed Major Reid of the 32nd regiment, to proceed to St. Johns with part of the force which had returned to St. Charles from St. Hyacinthe, and unite with the companies under Lieut.-col. Hughes, assembled at that port for the purpose of attacking Bouchette's force; but that, fortunately, the vigilance of the Missisquoi militia had enabled him to withdraw several companies from St. Johns for the expedition at this time contemplated against the county of Two-mountains."

It may here be proper to state, that the assistance rendered the Canadians by the inhabitants of Vermont, rendered it necessary that the executive of that state should give evidence that it was a spontaneous movement of the people independently, and not sanctioned by the state government. Accordingly, a few days after the defeat at Philipsburg, the governor of the state issued the following proclamation:—

"BY THE GOVERNOR.—It is well known to my fellow citizens that disturbances have broken out in the neighbouring province of Lower Canada, which have resulted in bloodshed. The head of the provincial government has issued his proclamation declaring martial law in the district of Montreal.

"This state of things necessarily changes the relations which

* Par. paper, No. 99, p. 11.

have heretofore existed between the inhabitants of this state and that province; and the possibility that any, through the influence of ardent feelings, may be betrayed into acts of unauthorised interference, induces me to call the attention of my fellow-citizens to the subject.

"With the kingdom of Great Britain we are in a state of profound peace. We have treaties with that government which it is our duty, and I trust our desire, to fulfil to the letter.

"It is obvious that as a nation we have no right to intermeddle with the constitution of any neighbouring powers; while, as republicans, we prefer that form of government under which it is our happiness to live, a decent regard for the opinion of others will prevent all dictation as to the form of their government.

"Principles, which have been admitted for ages, prevent all national interference, unless in the character of allies, and it is scarcely necessary to add, that individuals should not do that which the government cannot—must not do.

"It has been represented to me that, in some few instances, arms have been furnished, and hostile forces organized within this state. No one can be ignorant of the consequences of such a state of things, if allowed. Such forces may be repelled, and our territory be made the theatre of active warfare. This is not to be tolerated for a moment, and every good citizen will appreciate the importance of rebuking all such acts as may tend to produce it.

"The amity which binds nations to each other, condemns all interference in their intestine broils; and the laws of Congress are explicit in their denunciations, subjecting those who improperly interfere to heavy penalties and imprisonment.

"Under these circumstances, and with these feelings, I have thought it my duty to issue this, my proclamation, cautioning my fellow-citizens against all acts that may subject them to penalties, or in any way compromise the government.

"Our first duty is to our government, and the greatest benefit we can confer on the world, is by giving them a perfect example of the action of that government. With other nations our conduct should be regulated by the principles of an enlarged and enlightened philanthropy.

"In war, we may treat them as enemies; but in peace, they are to be regarded as friends. In the present posture of affairs our duty is manifest—that of strict neutrality—neither lending such aid to either, as would be inconsistent with that character, nor denying the right of hospitality to either, so long as they are within our borders, and maintain the character of quiet and peaceable citizens.

"My fellow-citizens will appreciate the feelings by which I am actuated. The nation's honour cannot be in better hands than our own. Their zeal in the cause of liberty was never doubted. It is only necessary to caution them against such interference

with the rights of others, as might jeopardize the peace of our country."

The above proclamation is a fair type of the power, or rather want of power of the United States' government, in restraining her citizens in the event of interference in the affairs of other nations. The tone of the proclamation is *monitory* not *mandatory*. The duty of the Americans *as a nation* is stated—all "*national interference*" is deprecated, and then *individuals* are reminded that they ought not to do that which their government must not—cannot do.

It is generally admitted that the laws of the United States on the subject under notice are a dead letter. This was proved in the case of Texas. The Mexican province of Texas did precisely what the British province of Canada is doing; and American citizens interfered without the least disguise; arming, equipping, raising money, and marching in considerable bodies to aid the insurgents. The Mexican President remonstrated; and the United States' government did all that the letter of the law of nations required to prevent any interference *as a nation*—"national interference," to adopt the phrase of the Vermont proclamation, was then, as it is now, deprecated; and yet individual assistance went on without check.

The United States' government must not be called either weak or treacherous on this occasion, or the British government must be deemed equally weak or treacherous on many occasions that could be named. We have often seen British men openly enlisted in this country to fight for the Greeks, the Spaniards, the Portuguese, without involving this government in war. But with us, the matter has not been limited to mere individual interference; we have, on more than one occasion, done what the American government never yet has done, violated neutrality with our allies. Leaving out of the account our wars in favour of legitimacy, and against the spread of liberal opinions, we need only remind the reader of our attack upon the Turks at Navarino; of our army of occupation sent to Portugal, and lastly of our recent sanction of the expedition of the British legion. Let us not marvel, therefore, if the American authorities content themselves by preventing only "national interference." If they were to attempt more, they would certainly fail. On this point, the following passage from the *New Orleans Bee* may be quoted, premising that the southern Americans have a powerful interest against the annexation of Canada to the States, on account of the preponderance it would give to the non-slave-holding portion of the union; yet, we find their sympathy with the Canadians overcoming even this strong sectional interest:—

"The Canadians feel the imposition and collection of taxes under the authority of the British government, and the appointment of one branch of the provincial legislature by the crown, as griev-

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ances not to be borne ; and it is certainly unbecoming the descendants of the stern and fiery old Whigs of seventy-six, who went to war with the mother country for a duty of threepence a pound on tea, to say that these grievances of which the Canadians complain ought to be borne.

* * * * *

"The situation of Canada, whatever may be the course of events, is highly interesting to the people of the United States. Should the provinces become absolved from allegiance to Great Britain without a recourse to arms, they will most probably seek to be attached to the union on a footing with the present members of the confederacy. The proposition of such a measure would give rise to angry debates in Congress, and hot contentions among the people, prompted and exasperated by geographical and sectional prejudices. If the present troubles should result in a civil war between England and her Canadian provinces, it would give rise to quarrels and dissensions between this country and England which might put the pacific dispositions of both to a serious test. Whatever might be the wishes, whatever might be the legislative enactments of our government, we know, by what we have witnessed in the Texian war, that the young men of the west and north could never be prevented from marching by thousands to the aid of the Canadians. Lures would be held out by those people to entice them into their service. The Canadian papers have more than once alluded to the important assistance they would derive from the rifles of the backwoods-men in case of a rupture with England. *It is useless to disguise the fact that such assistance would be offered without being asked for.* All the legislation of Congress—all the vigilance of the executive, could not prevent it. If English pride should take the alarm, war would be the consequence, and England would forget the example she herself has exhibited in the civil wars of Spain and Portugal."

Nothing more need be said in this place on the sympathy of the people of Vermont in favour of the Lower Canadians, because the immediate occasion for that sympathy has been suppressed or removed. We shall however, have occasion to return to, and enlarge upon the subject, when we come to describe the occurrences in the Upper Province—occurrences, which were of a nature to excite that sympathy in a much greater degree, and much more generally over the whole Union than those which we have hitherto described.

By the defeat of the patriots at Philipsburg, the suppression of the insurrection on the Richelieu seems to have been complete. Sir John Colborne reports the "deluded peasantry to have returned to their homes," and that the country was perfectly tranquil.

The number of prisoners in gaol, just previous to the expedition against Grand Brulé, which we shall describe in the next chapter,

was, as nearly as we can collect, about sixty, of whom thirty-seven had been taken with arms in their hands. Among the whole number were only five of any note, namely, L. M. Viger, M.P.P.; Dr. Wolfred Nelson; Comé Cherrier, M.P.P.; R. S. M. Bouchette; and Toussaint Pelletier.

There are besides some men of consideration and respectability in their several counties, but the above are the only prisoners of general importance.

In bringing this chapter to a close, it may be well to state that the importance of Colonel Gore's second expedition to the dominant party must by no means be measured by the total absence of

—“Most disastrous chances,
Of moving accidents by flood and field,
Of hair-breadth 'scapes i' the imminent deadly breach”

Of these, it was his good fortune as we have seen to experience nothing. The value of his uninterrupted progress depends on this:—that it totally removed all cause of alarm in the minds of the anti-popular party of the city, and thereby enabled Sir John Colborne to commence his preparations for the expedition into the county of Two Mountains—an expedition which, according to his own words, he did not deem himself justified in attempting until perfect quiet was restored on the river Richelieu.

The events detailed in this chapter occupied one week, and bring the narrative down to the 7th of December. The whole of the ensuing week was occupied in collecting the troops at Montreal, and in refreshing and preparing them for the contemplated expedition. The volunteers, at this time, could be safely entrusted with the defence of the city, because, in point of fact, there was nothing against which it required defence, as the troops were about to proceed in a direction between the city and the only remaining stronghold of the insurgent patriots. Whilst armed resistance was thus confined to a narrow spot, all fear of a diversion elsewhere had been removed.

The next chapter will contain the details of the expedition alluded to, leaving to that which follows the narration of such matters as immediately followed the final suppression of the disturbances in the province.

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THE EXPEDITION AGAINST ST. EUSTACHE, AND GRAND BRULE.

This is a historical map of the Montreal region, oriented with North at the top. The map shows the St. Lawrence River (R. St. Lawrence) flowing from the bottom right towards the top left. The Island of Montreal (ILE DE MONTRÉAL) is depicted in the lower right, with labels for 'ISLE JESUS' and 'ISLAND OF MONTREAL'. To the north of the island is the 'TWO MOUNTAINS' (MONTREAL) area, with labels for 'R. Desjardins', 'St. Eastache', 'Grand Brûlé', and 'L. Beauport'. Further north is the 'TERRERBONNE C.O.' (Terrebonne). To the west of the river is the 'VAUDREUIL' area, with labels for 'St. Andrews', 'R. Ottawa', 'L. Beauport', and 'Coteau du Lac'. The 'UPPER CANADA' region is labeled on the far left. A north arrow is located in the upper left corner of the map.

The county of Two Mountains lies upon the mainland, immediately at the back of the Island of Montreal, and of Isles Jesus and Bizarre. On the south-east and south-west, the county is washed by the Ottawa river, which is here divided into several

channels,* forming the islands just named, together with Isle Perrot, all of which will be seen in the above sketch; until, at length, the two streams fall into the St. Lawrence, at the north-east and south-west extremities of the Island of Montreal.

The county takes its name from two beautiful mountains, rising at a moderate distance from the river, which here widens into a lake, a feature common to all the Canadian rivers. This lake bears the same name as the county, as does also a seigneurie forming part of the county.

One of these mountains is called Mont Calvaire, on the summit of which are the ruins of some buildings called the Seven Chapels, said to have been erected by the early missionaries.

The length of this county is eighty miles, and its extreme breadth about forty, but being of unequal shape, its contents, according to the surveyor-general's computation, is 979 square miles.

The principal streams are the Rivière du Nord, and the Rivière du Chêne, together with some others of minor note. All these rivers are impeded by rapids, and consequently not navigable to the Ottawa. Portions of most of them, however, are practicable for canoes, and so afford considerable facilities to the local trade. The Rivière du Nord might perhaps be rendered navigable for a considerable distance, at a moderate expense.

The county comprises the seigneuries of Mille Isles, or Rivière du Chêne, Two Mountains, and Argentueil, besides the townships of Chatham, Grenville, Wentworth, Harrington, Arundel, and Howard, lying higher up the Ottawa than the seigneuries.

In point of population, this county ranks third; and in point of agricultural produce, fourth in the province. The following statistical particulars, are from Bouchette's Topographical Dictionary of the province.

Population	18245	Fulling Mills	2
Churches, Protestant	2	Paper Do.	1
Do. Roman Catholic	4	Distilleries	2
Curés	4	Tanneries	3
Presbyteries	4	Hat Manufactories	1
Wesleyan Chapels	1	Potteries	2
Convents	1	Pot-ash Works	18
Villages	7	Pearl-ash Do.	11
Schools	12	Shop-keepers	21
Corn Mills	8	Taverns	34
Saw Mills	13	Artizans	232
Carding Do.	2		

The seigneurie belongs to the priests of the Seminary of Montreal, to whom it was originally granted in 1717, and is now in a very

* Between the Island of Montreal and Isle Jesus, it is called La Rivière des Prairies, and between Isle Jesus and the main land, La Rivière St. Jean, or Jesus.

flourishing state. In the seigneurie are two Indian Villages; the one inhabited by the Algonquins, and the other by the Iroquois, once the terror of the English colonies. The whole Indian population now amounts to 887.

The principal village in the county of Two Mountains, and it may be added, one of the largest in the province, is St. Eustache, situated at the mouth of the Rivière du Chêne, in the seigneurie of the same name. Here the post-road through the county abuts, as it were, upon the river, passing, as already stated, through St. Benoit to St. Andrews, and thence, along the course of the Ottawa, through Hull. St. Eustache is beautifully situated, on an elevated spot, commanding a view of the well-cultivated lands of Isle Jesus, with the picturesque islands and rapids in the neighbourhood. It contains, or rather did contain, a handsome church, a Presbyterian chapel, and about 150 houses. At each extremity of the village is a bridge over the Rivière du Chêne. The population of the village was in 1831, about 1000. Some manufactures are carried on here, among which may be particularly mentioned that of cigars, which enjoy a fair reputation among the connoisseurs of the cities. There is also a brewery, a pottery, two tanneries, and a manufactory for hats, and another for chairs, all of which help to give St. Eustache a character for enterprise, and, at the same time, add to its wealth. From Montreal, the distance is twenty-one miles, including the ferries.

The village of Grand Brulé, or St. Benoit, in the parish of the same name, lies about twelve miles west of St. Eustache. A small stream passes through the village, and falls into the Rivière du Chêne, which waters the parish. The village contains about fifty houses, much scattered. Three of them only are built of stone. The population of the parish was in 1831, 4664; that of the village may be about 300.

The parish of St. Scholastique lies on the Rivière du Nord. It is less populous than St. Benoit, containing only 3000 people in 1831. The village scarcely deserves the name, as it consists of only about ten houses, around the parish church.

St. Andrews, which is twenty-four miles from St. Eustache, lies at the confluence of the Rivière du Nord with the Ottawa, in the seigneurie of Argentueil. The population of the whole seigneurie was in 1831, about 2,800; chiefly persons of Scotch descent, and Americans. In 1824, St. Andrews contained twenty-eight houses, and about two hundred inhabitants; in 1831, it numbered fifty-five houses, and 330 inhabitants; now it probably contains eighty or ninety houses, with a proportional increase of people. It is a smart, thriving, American-looking place; the clack of the loom not unfrequently striking upon the ear. There is also a considerable paper-mill. During the recent troubles, St. Andrews gave birth to a corps of volunteers.

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Carillon is a small island lying south of St. Andrews, in the lake of the Two Mountains. A military force has been stationed there since the government began to prepare its operations; and we believe a small establishment is usually kept up, if it be only in aid of the works on the Grenville canal.

With these brief, but necessary explanations, the reader will be able to follow us through the details of the expedition.

Whilst the operations on the Richelieu were going on, it was understood that the armed peasantry were in force at Grand Brulé. We have already described the state of alarm this produced at Montreal; the more especially as an assault was expected from that quarter. Offensive operations, however, seem to have formed no part of the plan of the insurgents, either on the Richelieu or at Two Mountains. In a Montreal paper of the 1st of December, it was stated, that on the 25th and 26th of the previous month, a considerable muster of the armed peasantry had taken place. The number was variously stated from "some hundreds" to "no less than 2000." In the same paper, it was asserted that they had been for some time at work upon entrenchments for the defence of the village; and that they were prepared for an attack in either direction—that is, either from Montreal, or from St. Andrews. Report also stated that they had cannon, but none appear ultimately to have been found; indeed, it will be seen in the sequel that the reports from this quarter, were of a most exaggerated nature, commensurate rather with the state of alarm which prevailed, than with probability.

It is certain that travellers through this part of the country were stopped and questioned about the end of November and beginning of December. A party of about 150 men also went round and quietly disarmed the "loyalists," for the double purpose of taking the sting out of their adversaries, and of arming their own people. A large number, or rather a large proportion—for the number appears not to have been large—fled to Montreal about the end of the month.

Whilst the country on the Richelieu was in a state to give employment to the troops, Sir John Colborne's force was too small to be divided; and he does not appear to have been disposed to trust much to the volunteers. As soon as that section of the country was deemed tranquil by the defeat of the small body under Bouchette, arrangements as we have already stated* were commenced for the march into the county of Two Mountains.

It is evident that the reports which had reached, or, perhaps, more properly speaking, had arisen in Montreal, had made some impression on the commander of the forces, for nearly the whole regular force of Montreal was employed in the service. It consisted of the disposable strength of three regiments, namely, the royals, under Colonel Wetherall; the 32nd, under the Honourable Colonel Maitland; the 83rd, under the Honourable Lieu-

* Page 68.

tenant-colonel Dundas; a detachment of artillery with 6 guns under Major Jackson; the Montreal rifle corps; another corps of volunteers, and a detachment of cavalry. In addition to which, it was afterwards augmented by a portion of the 24th regiment and the St. Andrews volunteers, under Major Townsend. The whole force could not have been much short of 1500 or 1600 men; commanded by Sir John Colborne in person.

On the 13th the whole force was assembled at St. Martin on Isle Jesus, where there is a bridge from the Island of Montreal which Sir John Colborne had previously secured. Here the troops passed the night, and Sir John directed Major Townsend to march upon St. Benoit on the following day with the detachments of the 24th under his command and the St. Andrews volunteers.

On the morning of the 14th, the troops commenced their march upon the devoted village of St. Eustache. The river St. Jean, called in the despatches, the northern branch of the Ottawa, which in fact it is, was frozen, so that the troops crossed without difficulty on the ice at a distance varying from a mile and a half to three miles below the village.

It should be here mentioned, that the troops were divided into two brigades, one, consisting of the 32nd and 83rd regiments with a part of the artillery, under Colonel Maitland; and the other, consisting of the 2nd battalion of the royal regiment, the Montreal rifles, and Globenski's volunteers, under Colonel Wetherall; the object being to attack and enter the village at two or more points at one and the same time.

Col. Maitland's brigade appears to have crossed first and marched to the village, towards which they advanced covered by a couple of guns and the light company of the 32nd. As the troops approached, the insurgents were seen to cross to a small island opposite the village, when the two guns were directed by Sir John Colborne to open a fire upon them. This was done, when the fugitives retired into the town.

Hitherto our statement has embodied the substance of the despatch of Sir John Colborne with that of the report of Colonel Maitland; we now adopt the language of the latter.

"The brigade again advanced in the same order, and the guns took up a position and opened a fire upon the church; as I perceived with my glass that they appeared to occupy the church in considerable force, the guns still continued to cannonade the church. I then, agreeable to the directions of your Excellency, changed direction to the right with the brigade, the 32d regiment leading, covered by its light company, and followed by the 83d regiment, under the command of Lieutenant-colonel the Honourable Henry Dundas, with a view of securing the roads and bridges* from the opposite side of the town, leading to the

* The two bridges mentioned in our description of the village at page 71.

Grand Brulé road, where it was supposed that the rebels would eventually make a stand; the troops at this moment were within musket-shot of the town, and found the greatest difficulty in their advance, owing to the ruggedness of the ploughed fields, the depth of snow, and the strong fences they had to break through; they exerted themselves for this purpose with the greatest energy, and having obtained possession of the roads and bridges, succeeded in taking a number of prisoners, who were running in great confusion from the town. My object being here accomplished, I left detachments of the 83d to secure these places, and pushed in advance with the whole of the 32d regiment towards the church, and occupied houses close to it, on that side of the town. After remaining there some time, firing on the rebels in the church, I found myself obliged to withdraw from that advanced situation, as the regiment was then unavoidably exposed to the fire of our own artillery from the opposite side of the town, as well as that of the rebels, but I detached the grenadiers 1st and 2d companies, to favourable positions, to intercept any of the rebels attempting to escape from the church, and which answered effectually, as, upon the taking of that building, a number of the rebels fell under the fire of part of these companies. On an attack like this upon a town, much remains with the individual superintendence of commanding officers of battalions, and, about this time, the 83d regiment were, by your Excellency's orders, directed to enter the town in another direction, in support of the 2nd battalion of the royal regiment; fortunately we experienced no loss, owing to the favourable cover afforded the troops by the number of houses in this neighbourhood; the 32d regiment had only one man severely wounded."*

It appears to have been after the fire from the artillery had been opened on the church, that the second brigade came up. Colonel Wetherall in his report states,

"At about 600 or 700 yards from St. Eustache the artillery were found in position, battering the church and adjoining houses.

"I was here directed† to follow up the 1st brigade, which was making a detour of the village, for the purpose of cutting off the retreat of the rebels by the St. Benoit road; but on arriving opposite the centre of the village, I was directed to enter it, which I did, and having advanced up the main street, occupying the most defensible houses, and meeting with no opposition, I reported the circumstance to the Lieutenant-general, who desired me to detach an officer to bring up the artillery; in executing this duty the officer was driven back by a fire from the church,

* Par. paper, No. 99, page 13.

† This was apparently by the same order that Colonel Maitland was instructed "to change direction to the right with the brigade," so as to secure the bridges and road to St. Benoit.

and the artillery entered the village by the rear, and opened their fire on the church-door, at the distance of 280 yards, while some companies of the royal regiment and the rifles occupied the houses nearest to the church; after about an hour's firing, and the church-doors remaining unforced, a party of the royal regiment assaulted the Presbytery, killed some of its defenders, and set it on fire.

"The smoke soon enveloped the church, and the remainder of the battalion advanced; a straggling fire opened upon them from the Seigneur's house, forming one face of the square in which the church stood, and I directed the grenadiers to carry it, which they did, killing several, taking many prisoners, and setting it on fire.

"At the same time, part of the battalion, led by Major Gugsy, Provincial Assistant Quarter-master-general, and commanded by Major Warde, entered the church by the rear, and drove out and slew its garrison, and set the church on fire; 118 prisoners were made in these assaults."

Such is the official accounts of the attack upon St. Eustache, and of its result. It is sufficiently meagre, and gives no very clear conception of the destruction which took place. The Church, the Presbytery, the Nunnery, together with the houses of the Seigneur Dumont, Dr. Chenier, Scott and many others were destroyed. The following is from the Montreal Herald, the sickening print from which we have already quoted.†

"On Thursday evening the village of St. Eustache presented a heart-rending appearance, the whole of the lower portion being one sheet of lurid flame. It is supposed that about fifty houses have been burnt, and nothing now is left of them but stone walls or solitary chimneys. The moon looked blue and wan through the thick and curling smoke, and seemed as if mourning over the melancholy scene.

"It is conjectured that from 150 to 200 were killed by the military, or perished in the flames. The stench from the burning of the bodies was very offensive."

Another paper says,

"The village having been surrounded, there was no possibility of escape; and the prisoners say that numbers retreated into the vaults of the church, and the cellars, where they must have perished miserably."

It should be remembered that these statements are not from papers favourable to the insurgents; they are not therefore disposed to magnify the sufferings of the people at the hands of the troops; on the contrary, they are disposed to make no statement unfavourable to the government or their agents. All the liberal papers had been put down, or had ceased to appear, and their proprietors and editors were in jail or in exile.‡ Hence we have, as we stated on a for-

* Par. paper, No. 99, p. 14.

† Chapter iii. page 43 and 44.

‡ O'Callaghan, Duvernay, Louis Perrault, and Bouchette.

mer occasion, to make the best we can of one-sided evidence, a task neither pleasant nor easy.

Lord Gosford's summary of the march upon St. Benoit, appears to be a clear statement of what took place, we therefore adopt it without alteration.

"On the following morning, Friday, the 15th, the troops left St. Eustache for St. Benoit, where it had all along been understood the greatest preparation for resistance had been made, and arrived there shortly after mid-day, unopposed, having on their march been met by a deputation of Canadians, who announced the flight of their leaders, and the anxiety of those remaining in the village to lay down their arms and to surrender unconditionally. If they had not taken this step, the loss of life must have been very severe, as they were completely hemmed in, a force under Major Townshend, consisting of a part of the 24th regiment and a party of volunteers, having, as a combined movement, marched from Carrillon in the opposite direction, and arrived at St. Benoit shortly after Sir John entered it. During the brief stay of the troops at that place, from 150 to 200 individuals surrendered themselves with their arms, and were discharged, in pursuance of a proclamation issued by Sir John Colborne immediately after the affair of St. Eustache, calling upon the *habitans* to come in and lay down their arms, and assuring those who should obey, provided they were not especially implicated in the graver crimes of insurrection, of a free pardon. I regret to add, that this village suffered severely by fire, but whether from design or accident I am not yet informed. The exasperation of the settlers of British origin in the neighbourhood was, I understand, very great, in consequence of the severities they had previously experienced at the hands of the other inhabitants of the parish, and it is not improbable that the desire of retaliation may have led to this destruction of property. It was not the work of the troops."*

The only allusion by Sir John Colborne to "the suffering of the village from fire," mentioned by Lord Gosford, is in the following exceedingly vague passage in Sir John's despatch to Lord Fitzroy Somerset:—

"It is scarcely possible to suppose that the loyal and peaceable subjects, whose property had been pillaged, and who had so recently suffered from the outrages committed by the rebels of Grand Brulé and the Rivière du Chêne, a population of the worst character, could be prevented, on being liberated from their oppressors, from committing acts of violence at St. Benoit."

In short, there is abundant evidence that these despatches are prepared for the public eye. In the second chapter we pointed out a flagrant case of the suppression of despatches, one of which is

* Par. papers, No. 100, p. 3.

the detailed official report of the affair of St. Charles. Here we have to notice a similar case of suppression of evidence the most important. St. Benoit surrendered, the people had thrown themselves on Sir John Colborne's mercy, Lord Gosford, in his proclamation of the 29th of November, had promised the forgetfulness of transgressions to all who would put down their arms; yet, in spite of these promises, the village that night was laid in ashes. It was boldly asserted, in some of the Montreal journals, that the houses of some of the leaders being intentionally set on fire the rest caught by accident. Unfortunately for this statement, the houses of the village are not contiguous, but are much scattered, many being separated from the "leaders'" houses by the little river which runs through the village. We need not, however, trouble ourselves by trying the statement on its own merits, as a few days after the circumstance occurred, Major Townsend, in reporting his arrival at Carrillon, informed Sir John Colborne that "every house in the village was set on fire," and that it was "the volunteers who were the instruments of the infliction," adding, that it was impossible to restrain them. Now, this report or despatch of Major Townsend is not to be found among the papers relating to this expedition, published by order of the House of Commons; neither is Sir John Colborne's proclamation promising pardon. Sir John Colborne did not burn the village, it is true; but, in neglecting to protect it, did he keep the promise held out by his proclamation? The letter of his proclamation—yes! its spirit—No! It certainly does appear to have been Major Townsend's duty to see that Sir John's pledge was religiously redeemed, and yet he pretends that the volunteers could not be restrained. To prevent so shocking an outrage Major Townsend should have shown his determination to use his bayonets, and the restrained volunteers would have been saved from this shocking act of barbarity, by which, be it remembered, the aged and the infirm, the women and their infants, were turned into the woods, in the depth of a Canadian winter, to perish. The tale of horrors, resulting from this barbarous act, remains yet to be learned.

The *Times* newspaper, by no means inimical to Sir John Colborne, and certainly far from friendly to the Canadians, cannot restrain its indignation on the occasion, as the following extract will testify:—

"If the loose narratives, Canadian or republican, may be safely trusted, we fear that much unnecessary, and therefore indefensible, suffering, has been inflicted upon the unfortunate, many of them, no doubt, guiltless, inhabitants of the scene on which, and in whose neighbourhood, the attack was made by Sir J. Colborne.

* * The statements on every side agree that the whole village of St. Eustache was burnt to the ground. It would rejoice us to believe what we see asserted in one of the letters just arrived, that it was the insurgents themselves who set fire, by accident, to St.

Eustache, and destroyed their own habitations with those of many peaceable citizens. If, on the other hand, it be confirmed by the next advices that not only St. Eustache, but St. Benoit likewise, was burnt by those of our fellow-subjects calling themselves loyalists, in defiance of the humane orders of Sir John Colborne, after his back was turned, and in revenge for excesses, outrages, and robberies, said (we dare say truly) to have been perpetrated by the insurgents while in possession of those respective towns, it is impossible to reprobate with sufficient force the *barbarous wickedness of such retaliation*, or to calculate the effects of such *impolitic and frantic ferocity*. It is incredible that Sir J. Colborne, or any experienced and well educated commander, could have tolerated such proceedings. It is equally so that any regular, well-disciplined, and highly-officered troops like those of England, could have executed them."

After the surrender of St. Benoit, Sir John Colborne ordered Colonel Maitland, with his regiment, to proceed to St. Scholastique, a village of ten houses. There was of course no resistance; in short, resistance was at an end in every direction.

The following is the official return of killed and wounded, as made up after the return of the troops:—

"Montreal, 20th December, 1837.

"Royal Artillery—1 corporal, 2 privates, wounded.

"2d Batt. 1st or Royal Regt.—1 private killed; 4 privates wounded.

"32d Regt.—1 private wounded.

"Total—1 private killed; 1 corporal, 7 privates, wounded.

"N.B.—Major B. C. A. Gagy, Provincial Assistant Quartermaster-general, was also severely wounded."

The number of killed on the side of the peasantry is stated, in the Montreal papers and in Lord Gosford's despatch, at about 100, whilst the prisoners amounted to about 120. The exaggerated nature of the previous reports now became apparent. There were neither fortifications nor cannon*; they were but ill supplied with arms, and so destitute of ammunition, that, it is said in some of the accounts, marbles (which of course broke into powder at the discharge) were used for balls. The troops, therefore, had little more to do than to take up a position at a safe distance, (600 or 700 yards, according to Colonel Wetherall), with their artillery, and resort to the firebrand and the bayonet only when confusion had been produced.

The persons residing in this county against whom warrants could not be served in consequence of the rising of the peasantry, appear, by Lord Gosford's dispatch, to have been J. J. Girouard, and W. H. Scott, the members for the county, the Rev. Mr. Chartier, curé of St. Benoit, Dr. J. O. Chenier, and Amury Girod; the last of whom was a Swiss.

* There were two wooden cannon bound with hoops, and calculated to sustain three or four discharges.

Of these Dr. Chenier was killed in the church at St. Eustache, Scott was taken at St. Scholastique, Girod made his escape at the time, but subsequently shot himself rather than fall into the hands of the volunteers, and M. M. Girouard and Chartier were not to be found. The circumstances attending Girod's death are detailed in a letter in the Montreal papers, written by one of the volunteers disputing for the credit * of the capture with "one of the regulars," who appears to have claimed it to the great indignation of the volunteer.

It seems that about three or four days after the affair of St. Benoit, intelligence was received by a party of volunteers at Longue Pointe, just below Montreal, that Girod was at Pointe aux Trembles. The persons who gave the information acted as guides. On arriving at the spot, "at a small distance back," says the writer, "in a field adjoining the road and in continuation of the line fence, there was a short piece of close boarded fence, with another piece forming a right angle, behind this Girod had screened himself. The Canadian guide having advanced and looked over the fence, saw Girod, and retreated in great terror towards Higgins, (a volunteer), who was advancing, and kept advancing towards the inclosure. At this moment, it is presumed, Girod had seen Killigan (another volunteer) and me advancing upon the side of the inclosure running parallel with the road, and in consequence he stepped out of it by an opening into the field upon the other side of the line fence. He stooped on passing through, (so says Higgins, for I could not see it,) and on raising his head, seeing Higgins advancing from one point, Captain Clarke from another, and Killigan and me from a third, he could not but perceive that all chance of escape was hopeless. At this moment Girod called out, Halloo! drew from his breast a pistol, which caused Captain Clarke to turn rapidly round and retreat some paces, and also caused Higgins to stop and raise his musket to the present, when instead of levelling at any of the party he lodged the ball in his own brain." On returning towards town they met parties of their own corps, of the cavalry and lastly of the rifles, all anxious for a share in the honour, no doubt, of the capture.

The body of the unfortunate man was conveyed into the city, where a coroner's jury was impanelled, when a verdict was returned of "Suicide, whilst flying from justice as a rebel."

But little is known to us concerning M. Girod. He settled in Canada a few years ago, and wrote in the papers on agriculture, and especially on the necessity of teaching it in schools. He always called himself a *cultivateur*. In 1835, he commenced

* Though it does not appear on the letter, it is most likely a dispute for the blood-money, £500 having been offered for Girod's apprehension.

printing a work on Canada, entitled "*Notes diverses sur le bas Canada*," the first *livraison* only is published; it is a useful statistical collection, but not very skilfully arranged. Girod is said to have served under Napoleon, but he does not appear to have known much of military tactics. He appears to have been singularly rash and deficient in judgment.

M. Girouard after undergoing great hardships, surrendered himself to Mr. Simpson, the collector of the customs at the Coteau du Lac, whom he knew and at whose hands he could feel assured of the most humane and considerate treatment. Mr. Simpson, probably for the purpose of protecting him from insult in his adversity, accompanied him to Montreal, where he was immediately lodged in jail.

Jean Joseph Girouard, who has been long known to his countrymen as a very active politician, was born at Quebec, and is now about forty-two years of age. His father was a notary of very high reputation, ranking among the first lawyers* in Canada. His father was drowned when he was young, and his grandfather and uncle both at different times, lost their lives by a similar casualty.

Girouard was educated at St. Eustache, under M. Gatian, the curé of that parish, and afterwards commenced studying for his father's profession, to which in due time he was admitted. He settled at St. Benoit, and soon acquired a very extensive practice, enjoying a high reputation as a *légiste*, his opinions on points of conveyancing (involving very frequently the multitudinous and minute rights and duties of the seigneurs and tenants), being sought in all quarters.

With such a reputation, it is quite impossible for any one in Canada to keep out of the Assembly, even if he were desirous so to do. He was accordingly elected one of the representatives of his county in 1831, and he has continued a member ever since, acting always with the majority.

M. Girouard is a man of extensive acquirements independently of his professional knowledge. His conversation is instructive and at the same time cheerful and animated, and his disposition is such as to cause him to be greatly esteemed by his friends. He is considered somewhat eccentric in his habits—a circumstance, which, in all probability, arises from his modes of thinking, and his associations generally, being of a character not likely to be thoroughly understood by his neighbours. From his great talents and acquirements, his energy, and his honest and uncompromising character, his surrender may be deemed to have conferred a great prize on the antipopular party.

* Let us here remind the reader, that a notary is not a mere bill protester as in this country, but a conveyancer, and, therefore, a property-lawyer.

Lord Gosford, in his despatch of the 23rd of December, thus sums up the result of the *coup d'état* of the executive, and of the events embracing a period, extending from the 18th of November to the 16th of December.

"Thus have the measures adopted for putting down this reckless revolt been crowned with entire success. Wherever an armed body has shown itself, it has been completely dispersed; the principal instigators and leaders have been killed, taken, or forced into exile; there is no longer a head, concert, or organization amongst the deluded and betrayed *habitans*; all the newspaper organs of revolution in the province, the "*Vindicator*," "*Minerve*," and "*Liberal*," are no longer in existence, having ceased to appear about the commencement of the present troubles; and, in the short space of a month, a rebellion, which, at first, wore so threatening an aspect, has, with much less loss of life than could be expected, been effectually put down. It will, however, still be incumbent on the executive government to maintain for some time longer a guarded and vigilant attitude."

"Of M. Papineau's movements or place of refuge nothing is known; and of the 20 other individuals who have been most conspicuous in the late insurrection, four have been killed,—Ovide Perrault, M.P.P., Julien Gagnon, J. O. Chenier and Amury Girod; eight are in prison,—Wolfred Nelson, W. H. Scott, M. P. P., Desrivieres, F. Tavernier, R. S. M. Bouchette, G. P. de Boucherville, A. Ouimet and the Rev. Mr. Blanchette, curé of St. Charles; and the remaining nine, mentioned in the margin, are supposed to be now in the United States. The total number of persons in custody on charges of high treason or sedition amounts to 169."*

The nine mentioned are the following:—

E. B. O'Callaghan, M. P. P.
C. H. O. Cote, do.
A. Jobin, do.
E. E. Rodier, do.
J. J. Girouard, do.
J. T. Drolet, do.
Rev. M. Chartier, curé of St. Benoit,
L. Duvernay.
T. S. Brown.

Of these, M. Girouard, as we have seen, had surrendered himself, increasing the number of prisoners to 170.

In the course of our observations on the transactions on the Richelieu river, we stated, what appeared to us, some strong grounds for believing that the revolt was not premeditated—that, in short, its true character was a rising of the people to protect from arrest their most respected fellow citizens. The af-

* Par. paper, No. 100, p. 4.

fairs of St. Eustache and Grand Brulé, give additional colour to this supposition. Had there existed a preconceived plan of combined and organized movement, some evidence thereof would assuredly have been imparted to the revolt. We ourselves have no pretensions to a knowledge of tactics; but it seems evident, that the first effort of the leaders of an organized revolt, would have been to secure the means of free communication between the several parts of the country destined to form the theatre of that revolt, and especially with the supposed friendly people of the neighbouring States. In the case of the river Richelieu, we have seen how this could have been effected. It seems that, out of the force under Colonel Gore, 400, or certainly, not over 500 men, were deemed sufficient to garrison the whole line. Three times as many armed peasantry ought to have been sufficient for a similar purpose. The effect of this would have been, to enable the undoubted sympathy of the state of Vermont, and that part of New York bordering on Canada, to manifest itself in the shape of aids of arms, ammunition, provisions, clothing, and above all, of men, which, in such a case, could enter Canada without difficulty by the open path of the Richelieu.

With regard to the rising at Grand Brulé, an equally obvious course presented itself. On the St. Lawrence, about five leagues from the mouth of the Ottawa, is the *Coteau du Lac*, where there is an old fort, or block-house, which, at the commencement of the disturbances, was in a totally defenceless state. If there had been any preconceived plan of operations, it seems to us obvious, that the very first step would have been, to march secretly across the county of Vaudreuil, and seize the fort in question. The effect of this would have been, first, to keep open a communication with Upper Canada; second, to effect the same object with the state of New York, and thence, with the Richelieu; and, lastly, to secure a large supply of artillery which has lain there since the war of 1812—15. All this might have been done, almost at one and the same moment, had there been the forethought which has been alleged; and, it could scarcely have been prevented, even had the plan been known, provided every point had been attacked simultaneously. The whole regular force in Canada, does not much exceed 4000; and at the time of the rescue at Longueuil, the volunteers were scarcely organized. Sir John Colborne could not, perhaps have taken more than 2000 men into the field, which force must have been much divided. In the actual case, he first subdued one section of the country, the other at the same time waiting his leisure, and then, concentrating all his strength upon that which was deemed one of the strongholds of the revolt, he finally subdued the whole district.

Another piece of evidence of the want of preconceived plan, is to be found in the nature of the warfare. All the leading men in

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Canada are well acquainted with the history of the American struggle. It is an interesting period to them, for it is not to be denied, that they may one day or other have to enact it. Now, if the present had been deemed the time, they would certainly have taken some lessons out of the book of that history. What is the most conspicuous of these lessons? evidently that an undisciplined peasantry should never meet the regular troops. In the American war, whenever the provincials met the regulars, the latter were victorious. They were continually gaining advantages, and yet in the long run, they invariably retired from the seat of war. How was this? Simply because they were vanquished by the difficulties of the country. How was Burgoyne's army captured? After being harassed by the riflemen planted in every bush, Burgoyne suddenly found his progress stopped by a sort of *chevaux de frize* of prostrate forest trees. From these he retired, when, to his dismay, he found that his retreat had been cut off by the same means. He tried the right—the left—the same barrier presented itself. To force a way through it was impossible, as it was covered by unseen rifles. To remain within the enclosure was to starve—he had no alternative but to surrender. Almost every road in Canada presents facilities for this sort of warfare. Across the hollows of the roads, trees might be thrown, so as not to be perceived by advancing troops until close upon them. In the confusion incident upon such a surprise, heightened by a brisk fire from rifles in the woods, nearly every single shot telling, their retreat might be cut off by a similar barricade in their rear—skilful axe-men could do this in less than ten minutes. In this position, a body of troops would be a prey to the rifles of the peasantry, or would be compelled to surrender. Of this mode of warfare, every reader of American history is cognizant; and we feel confident that had there been any extensive plan as alleged, it must have been carried into effect—it could not possibly have escaped their notice. That it was neglected, affords, we repeat, a strong presumption that no plan existed.

The great error of the political leaders appears to have been withdrawing from the city in November; although, entertaining the feelings they did respecting the constitution of the courts of justice, and the measures of the executive, we cannot feel much surprise at the course they adopted. Had they, however, submitted for a while to the persecution which was designed for them, that persecution would, in the long run, (unless there be any evidence which has not as yet transpired to justify it), have reverted on their political adversaries. As for judicial murders, we cannot conceive them to be possible. A jury composed of the persons who thought it "ridiculous to fatten fellows all the winter for the gallows,"* might have condemned, and an exasperated judge might

* See Chap. iii. p. 44, note.

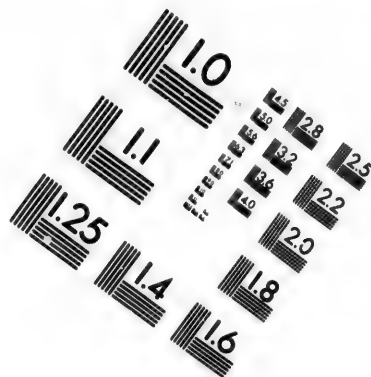
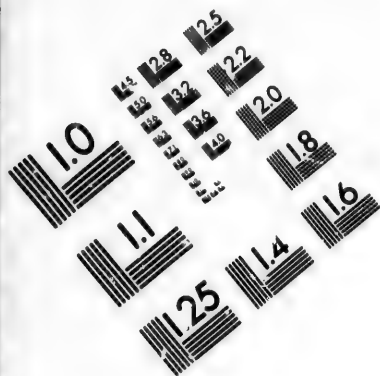
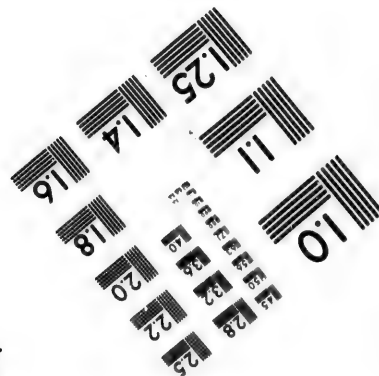
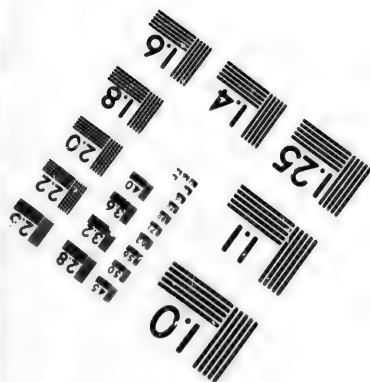
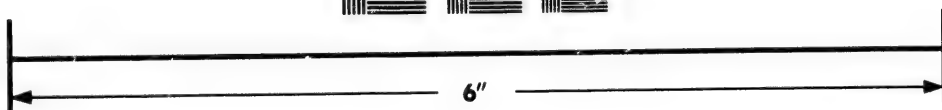
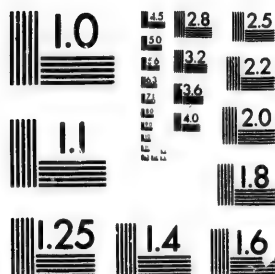


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have sentenced, but we are quite sure neither Lord Gosford nor Sir John Colborne, would have dared to execute, even had they been so disposed. Under these circumstances, we regret the withdrawal from Montreal, mentioned in the first chapter, as an unfortunate, though, we are bound to admit, a very natural error.

Here may be said to end the history of the actual disturbances in Lower Canada; Sir John Colborne now finding himself in a position to dispatch part of his force to the upper country. Before we commence our narrative of the transactions in that province, however, there are some occurrences growing out of the recent state of Lower Canada which require to be explained. We allude particularly to the course pursued by the Constitutional Association of Montreal; a body of intolerant men, who had for some time fallen into insignificance, from which they were suddenly extricated by the events we have related.

Accordingly, in the next chapter, we shall lay before the reader such facts and observations as seem necessary to complete the history of the events connected with the outbreak in Lower Canada.

CHAPTER VI.

OCCURRENCES GROWING OUT OF THE DISTURBANCES.

The Prisoners—Liberation of some—Clemency probable—Oath of Allegiance Administered—Loyal Addresses—Constitutional Association—their Grievances—their Demands—Conclusion.

It has been already stated that, at the time of the final suppression of the revolt in Lower Canada, 170 prisoners were in confinement in the gaol of Montreal, charged with high treason or sedition. Of these, by far the greater portion, probably from 130 to 140, consisted of the peasantry taken in arms at St Charles, and St. Eustache. At one time, the gaol was so crowded, that, in order to make room for fresh inmates, some, described as the least culpable, were dismissed with no more punishment than the few days of imprisonment had afforded.

A story found its way into the New York papers, and thence into some of our own, to the effect, that eleven had been privately shot. This statement was a manifest absurdity, for even under a system of martial law, publicity, together with some form of trial, is necessary.

The prisoners at this time in gaol are spoken of in the Colonial papers, and in the despatches, in a manner to show that the local authorities consider them as capable of being grouped into three classes, namely, the "deluded peasantry," the "local agitators," and the "instigators and leaders of the revolt."

The first class, which is of course by far the most numerous, Sir John Colborne has evinced a disposition to dismiss without trial, on condition, of course, that they return to their homes and offend no more. This line of conduct is calculated to offend that ultra party which attacked so virulently the admonitory proclamation of the 29th of November; which, as we have seen,* rejoices in the opinion, that the peasantry (except the most "deluded," who are proposed to be used as witnesses) taken in arms, should be dispossessed of their farms, in order that the destitute widows and orphans might afford an "enduring and living evidence of the folly and wickedness of rebellion."

It is not to be supposed that either Lord Gosford or Sir John Colborne should fall in with these views. They may so shape their measures as to promote the political objects of the party which they deem well affected towards the authority of the mother country; but they would hardly proceed to the unwarrantable extent desired, even if the power of so doing were placed in their hands by a local tribunal. It seems, therefore, highly probable, that very few of the class, considered as merely "deluded," will

* See chap. iii. p. 43.

be brought to trial—moderation and clemency being the obvious policy of the *victorious* government.

Lord Gosford, in his despatch of the 23rd of December, thus alludes to the liberation of some of the prisoners :—

“ Your Lordship will, I am sure, learn with as much satisfaction as I experience in mentioning the fact, that the promulgation of martial law, in the district of Montreal, has, as yet, been productive only of acts of lenity and mercy. Not a single individual has suffered or been molested under it in any way ; but 112 of the deluded *habitans*, who had been taken in arms, have been restored to liberty. This unexpected act of grace, conferred in the midst of rebellion, while it marks the humane disposition of the government, proclaims, at the same time, its consciousness of strength and security, will, probably, produce tranquillising effects in the hitherto disturbed sections of the country ; and give the best answer to the false statements, that have, most industriously, been circulated in the adjoining States, of the cruelty and oppression alleged to have been practised against the insurgents, and the Canadians generally.”

The other two classes, the “ local agitators,” and the “ leaders,” run, like light and darkness, the one into the other ; the difference being founded on the nature of the evidence which the law officers of the crown can obtain, warranting, in their opinion, charges of high treason in some cases, and of sedition in others.

Up to the latest accounts, nothing seems to have been determined as to the time and manner of bringing the prisoners to trial. If it be left to the ordinary authorities, unrestrained by the obligations of the writ of habeas corpus, it is greatly to be feared they will be kept for a long time in gaol without a trial. This has been done already in Canada, and may be done again. M. Bedard, the father of the present Canadian judge, was cast into prison on a charge of high-treason. There he was kept for more than a twelvemonth, at the end of which time his prison-door was opened, and he was told he might go. At first he refused, and tried to get legal redress ; but he soon grew tired of the attempt, and abandoned his prison. If justice were done to the Montreal prisoners, we ought now* to hear of their trials.

The next question which will arise is, how are they to be tried, by the ordinary tribunals, or by a court-martial ? The question of the *legality* of martial law was argued before the judges of Lower Canada, on the 28th of December. Mr. James Stuart, formerly attorney-general of the province, and Mr. Walker, to whom allusion has already been made, being heard against it ; but the attorney-general, Ogden, declining to reply, the matter rested with the judges. Their decision will probably be, that it is expedient, and therefore not illegal. We are told by Sir Matthew Hale†, that martial law is in truth and reality no law, but

* February.

† Hist. C. L., c. ii.

something indulged, rather than allowed, as law. It is, in fact, a violation, a destruction of law—the violators being screened by an *ex post facto* law, called a bill of indemnity. This we have seen, is distinctly promised Sir John Colborne by Lord Glenelg; it will be justified by the plea of necessity or expediency; and to talk of its legality or illegality is a mere idle question, fit only for discussion by a debating society.

Our law-writers tell us that martial law should not be resorted to in time of peace, when the regular courts are open to all persons, to receive justice according to the laws of the land. Now, although Lower Canada has but recently ceased to be in a state of civil war, it is admitted that peace is restored, hence the ordinary courts should be again thrown open. This will probably be done. Sir John Colborne will doubtless feel how offensive to public opinion in this country the resort to martial law must necessarily be; and he will therefore be glad to relieve himself of this responsibility as soon as what he deems a fitting opportunity so to do shall arise.—What occasion so fit as the return to peace?

By whatsoever tribunal the prisoners may be tried, it is highly probable that many convictions will take place. Political offences, at least such as fall short of high treason, are so extremely vague and undefined, that tribunals predisposed to convict, will be satisfied with evidence of an equally lax and doubtful character. Words spoken during the excitement of a public meeting, such as we see reported in every provincial newspaper in this country, will be sufficient to carry home the minor charge. The county meetings held during the summer to denounce Lord John Russell's resolutions, and to recommend the adoption of the scheme of passive resistance, and more especially the meeting of the six counties, will afford ample evidence of *sedition*, as the Canadian courts will understand the term. High treason, on the other hand, being an offence more strictly defined, the convictions will, in all probability, be few. Sir John Colborne will, doubtless, be anxious to obtain as many convictions as possible, if it be only to afford her Majesty an opportunity of exercising the prerogative of clemency.

On the 28th of December, Lord Gosford empowered commissioners all over the country to administer the oath of allegiance. This will, without doubt, be universally taken, as those who took up arms to defend their leading men, did not consider that in so doing they were violating their allegiance to her Majesty. Their political struggles have little or no reference to this country; they consider themselves as being engaged in a struggle against a political party opposed to them; and however much they may feel aggrieved, that the imperial government occasionally sides with their political adversaries, they do not as yet appear to have seriously contemplated the violation of their allegiance beyond the resistance of what are called the Queen's warrants, with which it

would be extremely difficult to persuade a Canadian *habitant*, her Majesty has much to do.

Some few loyal addresses were now presented to Lord Gosford from French Canadians—namely, one from La Prairie, with 230 signatures; one from St. Vincent de Paul, on Isle Jesus, with 453 signatures; and a third from Montreal, with 1283 signatures. These addresses express in a “free, candid, and sincere manner,” the “fidelity and inviolable attachment” of the signers, to her Majesty.

They denounce certain unnamed persons for having abused their confidence. “Unhappily,” says one of these addresses, “they have blinded, led away, even *obliged* several of our brothers to engage in this parricidal struggle, and blood has flowed, and civil war has desolated several parts of a territory, in which the most profound peace had before perpetually reigned.”

“It is impossible,” says the La Prairie address, “to take our leave, without expressing to your Excellency the admiration which we feel respecting *all* the acts of your Excellency’s administration, which exhibit a degree of benevolence, of liberality, of magnanimity, with which it is rare to meet in a man placed in the midst of the difficult circumstances which have recently presented themselves.”

The three addresses are all of the same character, though clothed in different language, and of a very different length. All express great attachment to her Majesty—all denounce certain persons who have blinded the people—all flatter his Excellency. His Excellency, in return, expresses his satisfaction that they now see things so clearly, and promises to convey their addresses to the foot of the throne. We marvel that more of these addresses have not been got up and presented.

The return of tranquillity, and the prostrate state of the leading men of the popular party, were seized upon by the “Constitutionalists,” or by the party opposed to the Assembly, as a proper moment to reiterate their complaints and demands.

A meeting took place on Saturday, the 30th of December, which, according to the *Montreal Herald*, the organ of the party, was “indifferently attended.”* At this meeting, “the report of the Executive Committee for the past year was read and adopted;” and as it embodies the views of that party, in their own words, we shall make some extracts from it.

Before we do so, however, we must remind the reader of a broad distinction which the constitutional party has been always anxious to confound. The majority of that party is composed of persons of British descent; but the majority of the inhabitants of British descent do not acknowledge the principles of that party.

* “Montreal Herald,” 1st Jan. 1838.

This is, the reader will admit, an important distinction—a distinction which strips the constitutionalists of all right to call themselves the “British party.” The commissioners, in their report, explain the reasons why the British inhabitants of the townships return members favourable to the views of the Assembly, and opposed to the constitutionalists; and it is probable, for this reason, that the report, from which we are about to quote, quarrels with the commissioners.

The great aim of the commissioners, the grievances of the party, and their proposed remedy are thus alluded to:—

“Since the last Annual General Meeting of this Association, the reports of the royal commissioners ‘specially appointed for the investigation of grievances affecting her Majesty’s subjects in Lower Canada, in what relates to the administration of the government thereof,’ have been published; and whilst your committee, in common with the generality of the British inhabitants of this province, deplore the loss of time and waste of money lavished upon those *unprofitable labours*,* they have likewise to express their deep regret, not only at the confused and partial views taken by the commissioners of the real cause of discontent in the province, ‘of the extent to which it has a reasonable foundation,’ and of the inadequate and inefficient remedies proposed by them for its removal, but also at their disregard of the substantial grounds of repugnance existing among the different races of the provincial inhabitants, their neglect of the acknowledged grievances of those inhabitants of British origin, and the cautious avoidance of their claims for a just participation in the enjoyment of rights deservedly dear to Englishmen, and *their utter indifference to the important measure of the Legislative Union of the Canadas*.

“An attentive consideration of these circumstances, and a firm conviction of the extreme importance of that provincial union, stimulated your committee to employ every means at their disposal to bring that measure prominently into notice; to urge its immediate as well as prospective advantages, and to direct public attention to both provinces, to its ultimate and paramount necessity. With this view, your committee prepared and extensively circulated “A Representation upon the Legislative Union of the Provinces,” containing some of the principal reasons in its support, tables of the population, and of its increase in both provinces, particularly of the separate increase of the British and French races in Lower Canada, and various statistical details, together with a map exhibiting a new division of counties in this province, by which a more equal share in the provincial representation would be given to the British inhabitants; and advantage was taken of the last session of the Imperial Parliament to transmit

* The report might have said in common with all parties.

copies to the leading members of both branches of the legislature, as well as to influential persons resident in Great Britain, who are connected with the Canadas, or interested in their prosperity.

“ The great and increasing necessity of the Legislative Union of the Canadas impels your committee to submit to you the propriety of pressing that great object to the desired conclusion, as the experience of nearly fifty years of separation between them, and the late seditious and rebellious movements in the most populous and prosperous portions of this province, plainly shew that the advantages anticipated from the division of the province of Quebec into two separate legislatures have been entirely unfounded; that ‘ the probability of reconciling, by this means, the jarring interests and opposite views of the provincial inhabitants ’ has been altogether falsified; and that the chief results of that most unwise and impolitic measure are apparent in the growth of a population in Lower Canada who, with a few exceptions, have retained and cherished the distinctive characteristics of a separate people, without sympathies, attachments, or interests in common with their British fellow-subjects; who have manifested a ready disposition to oppose British institutions and British connections, and who have now extended that opposition to open and unjustifiable rebellion. And your committee declare their settled conviction, that without a reunion of the provinces these evils must every year be increasing as the population of British origin increases, and that true wisdom will be shown in meeting these evils with boldness, and at once effecting their entire removal.”

The expedient of a re-union of the two provinces, as it is easy to perceive, from the above extract, is entertained by the anti-popular party, under the impression that thereby their adversaries would be completely out-numbered. This impression has arisen from the fact that the Upper Canadian Assembly has been not unfrequently favourable to the dominant party. This, however, is the effect of the existence of small boroughs, of an unequal and unfair division of the country, and other causes tending to promote the undue influence of the governing party in the elections.* These abuses cannot be long maintained, as public opinion is setting strongly against them; but even if they were maintained in their full force, the Assembly has never been of a character entirely to swamp the majority of the Lower Canadian House, and sometimes it has been such as to increase that majority. In 1834, for instance, the liberal majority of the Upper Canadian Assembly was about 40 to 20, and that of Lower Canada being 80 to 10, a house composed of the two united, would have exhibited 120 out of the whole 150 opposed to the

* See chapter vii., where the state of the franchise in Upper Canada is fully explained.

views of the Constitutionalists. The present House of Assembly of Upper Canada has about 20 Reformers, so that a House composed of the two Assemblies would still have 100 members out of 150, opposed to the views of the party whose report we have quoted.

We are not here to discuss the measure on its merits, we shall not expatiate on the inconvenience of having a country about 1200 miles long, without provincial division; all that we design to show is, that as a mere party expedient—the project of an union of the provinces would utterly fail.*

The report then continues the complaints, in the following manner:—

“While the full exercise of their religious worship, the complete enjoyment of their French civil law, the undisturbed use of their native language, and perfect immunity from taxation, the entire control over the provincial legislature and the redress of every pretended or theoretical grievance, conjoined to render the French inhabitants of Lower Canada the most favoured portion of her Majesty's subjects; *the real and substantial wrongs of the British inhabitants of this province remained neglected and unredressed*; they have been compelled to submit to a system of French jurisprudence foreign to their habits and injurious to their interests, to the French feudal law, which, to the disgrace of Lower Canada, finds a home in this province alone, to a denial of those legislative improvements which would have introduced British capital and enterprise, and an increased British population, into the province, and to the privation of their dearest rights as British subjects, by their virtual exclusion from a just participation in the provincial representation. On the one hand, the possession of every political and civil advantage, and conciliation, and concession to the utmost verge consistent with the dependence of the colony upon the mother country, have been met by disaffection, insurrection and rebellion, attended by atrocious murder, robbery and rapine; while on the other, the privation of their most sacred rights, as British freemen, and neglect and contempt of their grievances, have been followed by obedience to the laws, support to the government, and loyalty to their sovereign.”

We believe the mass of the French to be as much opposed to the burthens of the feudal law, as the constitutionalists are. At one of the county meetings convened for the purpose of denouncing Lord John Russell's resolutions; a resolution against feudal burthens was incidentally introduced. If the people of Lower Canada and their seigneurs were not kept together by *external pressure*—by the necessity of uniting against a common enemy, the grievance of the Constitutionalists would long since have

* We do not allude here to a federal union of *all* the provinces, of which we approve most highly. We shall have occasion to discuss this point fully in the course of the work

been removed by the Assembly. What is so much objected to by the popular party is, that the Constitutionalists should appeal to the Imperial parliament. If the appeal had been made to the Assembly, it would not have been in vain. There is another view of this grievance which must not be lost sight of. The British inhabitants of the Townships will not join the constitutionalists in their war against the feudal tenure, under an impression, that there is a desire on their part to introduce the incidents of the English tenure, and especially, the laws of primogeniture and entail. What the Township people like is the American, not the English tenure. They desire a tenure purely *allodial*; and this the law of Canada recognizes under the title of *franc-aleu*. This tenure is free from all seigniorial duties, or burthens, either personal or pecuniary. The English tenure of free and common soccage is, in practice nearly similar; but free and common soccage still supposes a feudal superior, which *franc-aleu* does not. One objection of the mass of the inhabitants of British descent, is to the incidents of the English tenure, as already noticed; there is also another, which is much stronger, because it is more tangible, and indisputable; we allude to the expensiveness of conveyances. The first objection will wear out as the people find there is a disposition to abandon the obnoxious incidents; the second cannot so easily be gotten rid of, without introducing new and more simple, and, above all, cheaper modes of assurance.* This can only be effectually done by the local legislature, and when it is done, it will be equivalent to an imitation of the tenure of *franc-aleu*, to which public opinion in Canada is tending, and which differs from the English tenure, as it alone can be maintained in Canada, more in cheapness of conveyance than anything else.

Taking the tenure as the only grievance of the constitutional party, and they do not appear specifically to state any other, there does not appear to us to be any difficulty in the way of its redress on the spot; unless indeed they determine to hug the obnoxious incidents including the expensiveness of conveyances, and if they do so we feel certain they will have a majority of the British of the townships against them; in which case their wishes will not, and ought not, to be complied with.

The demand for an union of the two provinces is again reiterated towards the close of the report, in language which is worthy of notice.

"The British inhabitants"—continues the report,—
"must, therefore, not only remember that their supplications for relief have been neglected and their grievances have remained unredressed, but they must likewise not allow the present period to pass away, *without boldly declaring to the British Govern-*

* Lands held in free and common soccage in Canada are usually conveyed by lease and release.

ment and Parliament, that they insist upon an entire abandonment of the present impolitic system of partiality, concession, and conciliation to the French Canadians; upon a speedy and complete redress of the grievances of the British provincial inhabitants, which are not the theoretical speculations of designing and revolutionary demagogues, but real and substantial grounds of complaint, affecting alike the integrity of their birthright as British subjects, and the general improvement of the province; upon the immediate adoption of the means necessary for crushing the blighting influence of French provincial ascendancy; and for rendering the colony a British province in fact as well as in name; and upon a re-union of this province with Upper Canada, as the only means for promoting the prosperity of both provinces, of securing their dependence upon the British government, and of preventing a dismemberment of the Empire."

This is the language of men with arms in their hands. They insist upon a speedy and complete redress of their grievances; but having specifically stated only one, what they probably mean is, that their pretensions shall be acknowledged and their *dicta* obeyed in all the future arrangements. They say they speak the voice of the British inhabitants. This remains to be proved.—All the evidence now before us, including the Royal Commissioners' Reports, goes to show that they are not authorised so to speak. But they *insist* upon their demands being acceded to. What can be the meaning of this language? Do they mean to refuse to lay down their arms until their demands be granted? Something of this sort may, perhaps, be intended, and may, moreover, alarm the Colonial Minister; but should any such arrogance—such madness be exhibited, there is a ready remedy at hand. The Canadian militia must be embodied and brought to act against the new class of insurgents. The men who "fought like tigers," against the British troops, united with their political adversaries, would certainly do no less when fighting at the side of British troops against their oppressors. The mother country has nothing to fear from the threats of the Constitutionalists. The majesty of the law has been asserted in one case, and must be so in another, if need be.

To show more conclusively that the constitutional party consider the suppression of the revolt to be a most favourable opportunity for *insisting* on their demands, we shall make a few quotations from the *Montreal Herald*, the language of which, on the present occasion, is strikingly similar to that of the report from which we have already quoted.

"We are," says the *Herald*, "amid no common times; upon the present action of the British population depends their fate; with them it rests whether they shall be emancipated from the galling power of the French Canadians, or have the yoke again fitted to their necks."

"The recent rebellion, notwithstanding all that Lord Gosford's friends may say to the contrary, was a general rebellion. We verily believe that 2000 French Canadians, from Gaspé to Vaudreuil, cannot be found who would not either have assisted their brethren at St. Denis, or rejoiced in their success. We verily believe it, because the history of the last five years affords innumerable proofs that such is the state of feeling, and it affords not one denial."

"We ask again, can it be safe to restore those men to the enjoyment of political power? This is the question we want to have answered; and we again say, that whilst they should be deprived of future political power, (at least for a time,) they ought to have the full protection of the law, and the benefit, in common with the rest of the population, of a wise and wholesome legislation."

In plain English, the French Canadians are a majority made more numerous and stronger by the sympathy and co-operation of a large number of the British inhabitants of the townships. The party which the *Herald* represents on the other hand, is a minority, made smaller and weaker, morally as well as physically, by the same cause. What this party wants is, that force should be given to their will as a minority, by some expedient to destroy the majority, by destroying the "French" portion of it.

As to the modes of effecting this object, we have the following observations:—

"There are four modes of escape for the British population of the island of Montreal,* from that baneful domination which has maddened the spirit of the Britons of this province.

"1st Rule by Governor and Council. This mode is objectionable, as the feelings of Englishmen will not brook any government but that which is based upon the representative system."

Rule by the governor in council, which is precisely the expedient adopted by the Act just passed, will "not be brooked," by the party which *insists* upon having its wishes attended to, because it is not based upon the representative system. It appears to us, that the representative system is at least as dear to the French as to the British. Indeed, we had an impression, and we can see nothing to remove it, that it was more so, for the assembly representing the majority, has been for some years attempting to apply the representative principle to the Second Chamber or Legislative Council, an extension of the system which the constitutional party have to the last opposed. However, the representative system has been destroyed—deeply do we regret that it has been so—but being so, the constitutionalists must "brook" it.

* This is a limitation which we have never seen before in a Canadian Tory paper. It seems to give up the Townships as a bad bargain.

The next scheme is as follows:—

"2nd. Depriving the French Canadians of the right of suffrage for a period of ten years, or longer if necessary, as a just punishment for their unjust rebellion. No person, unless it be Jacques Viger, P. D. Debartzch, or some other French Canadian counsellor of Lord Gosford, or Lord Gosford himself, will have the hardihood to deny that the whole country would have been up in arms if Col. Wetherall had not attacked the rebels at St. Charles:—we say this, notwithstanding the formation of the corps of 'Gosford Guards,' because that corps was formed *after* the St. Charles affair; if it had been formed *before*, we might be less sweeping in our declaration. A war annuls all treaties,—a rebellion destroys all compacts or pledges. The French Canadians stand before the world, rebels against the British Government; they have made war against England, and are again a conquered people—let them be treated accordingly. We do not desire *their* injury, but *our* good,—*their* destruction, but *our* safety. Let as little blood be shed as possible,* much already has reddened the snow."

The above recommendation requires no observation. It is inserted for the purpose of showing the darling object of the constitutionalists, namely, the destruction of the majority.

"3rd. Annexation of the Island of Montreal to Upper Canada. We believe this would please the people of the Upper Province, but it would be distasteful to the Britons spread throughout the Seigneuries and in the Townships of Lower Canada."

The scheme of the annexation of Montreal to Upper Canada arose in that province, as a substitute for an union of the provinces. The people of that province want a port, but they do not want a re-union of the provinces. Hence arose among the anti-popular party of Upper Canada, a demand, which might probably please the unthinking, but which, on no principle of justice, could possibly be granted. At the time it was made, the question of the division of the duties collected at Quebec was under discussion. Immediately afterwards, the question was set at rest, by the appointment of Commissioners, from both provinces, who soon agreed to the terms of the division. This being settled, all interest in the annexation question subsided, and has not again been revived. It was, of course, never popular in Lower Canada.

The last "mode," mentioned by the *Herald*, is "the union of the Provinces," which we have already commented on, when noticing the reports of the Constitutional Association.

The *Herald* then closes its article, with the following admonition to the constitutional party, then about to meet for the purpose of receiving the report, from which we have already quoted:—

"These are the modes of escape from the galling influence

* This is an improvement. The *Herald* has probably received a hint that it must not cry for blood so constantly: it tells against the party, so the expression must be smothered.

which has been too long exercised in this ill-fated Province. Let the assemblage this day consider of them.

"Let not the men of the British race, who meet to-day, be misled by a contemporary, who speaks of the replies of Lord Gosford to the 'Loyal!' Addresses from the French Canadians, as 'civil and admonitory answers.' Those replies are pregnant with meaning; they speak of the continuance of the policy which has cursed this Province, and made the very name of Lower Canada, a by-word and a reproach to surrounding states.

"We must make ourselves heard in the House of Commons! We must appeal to the British people! We must not submit to the odious system which nourished and encouraged treason and rebellion! We must so act, or in five years we shall see monuments erected to the manes of the victims to British fury at St. Charles and St. Eustache. Again, we say, Forward, Forward to the meeting."

It has since been stated, that immediate steps are to be taken to convey their demands to this country—to *insist* upon their being granted; and we presume to "make themselves heard in the House of Commons." Their secretary, Mr. W. Badgley, an advocate of Montreal, has, we are informed, been appointed to repair to England, as their delegate, to speak their wishes. In all probability, this course will be abandoned after* the determination of her Majesty's ministers shall have reached Canada. Delegates were in this country in 1835, when the commissioners were appointed. On their departure, the delegates deemed their occupation gone, and returned to Canada. In like manner, on the present occasion, the constitutional party will not fail to perceive that all discussion of grievances, and modes of redress, will be shifted from this country to Canada—from the shoulders of Lord Glenelg, to those of Lord Durham. If, therefore, Mr. Badgley be a man skilled as an advocate, he will be the more wanted at home.

As Englishmen it is our interest—as men it should be our desire, that no class of her Majesty's subjects, in any portion of our dominions, should have wrongs unredressed; but it should be our especial care to see that, under the plea of wrongs, a claim is not successfully urged by one class, to dominion over another. The demand that the French Canadians shall be disfranchised for ten years is of this character,—it cannot be acceded to. Deeply, we repeat, do we deplore the suspension of the constitution of Canada; it is an extreme measure for which no necessity has been shown, and in favour of the justice of which no fair argument has been urged. It is possible that the people of Canada will submit to it in sullen silence, but it is impossible, after the political education we ourselves have given them, that they should not feel the degradation most keenly. A small sec-

* Since the above was in type Mr. Badgley has arrived.

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